

20.12.2021
Sl. No.132
akd
[ALLOWED]

C. R. M. 8283 of 2021

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.12.2021 in connection with Berhampore Police Station Case No. 392 of 2021 dated 13.04.2021 under Sections 498A/304B/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.1265 of 2021)

And

In Re: ***Jaber Sk. @ Javed Sk.***

... .. Petitioner

Mr. Ali Ahsan Alamgir

Ms. Riya Das

Ms. Rabia Khatoon

... .. for the petitioner

Mr. Arijit Ganguly

Mr. Sanjib Kumar Dan

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 245 days. It is further submitted that co-accused persons have been granted bail/anticipatory bail. It is also submitted that the petitioner is innocent.

Learned advocate appearing for the State opposes the prayer for bail and submits that the victim-housewife was subjected to torture by the petitioner and other in-laws. She consumed poison within a couple of months of her marriage.

We have considered the materials on record. Keeping in mind the facts and circumstances of the case, period of detention suffered by the petitioner and as investigation is complete, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Jaber Sk. @ Javed Sk.***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial

Magistrate, Murshidabad at Berhampore subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)