

21.12.2021
Item 133
Court No.28.
AB

CRM No. 8546 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Penro P. S. Case No.80 of 2021 dated 14.07.2021 under Sections 498A/302/304B/34 of the Indian Penal Code read with Sections 3 / 4 of the D. P. Act

And

In the matter of : Soumen Koley

.....Petitioner.

Mr. Abhijit Kr. Adhyafor the Petitioner.

Mr. S. G. Mukherjee, Id. PP,
Mr. Partha Pratim Das,
Ms. Manasi Royfor the State.

It is submitted on behalf of the petitioner that he is in custody for 155 days. It is further submitted that investigation is complete.

Learned lawyer appearing for the State opposes the prayer for bail and submits that the victim housewife suffered unnatural death within three years of marriage.

We have considered the materials on record. Allegations of torture are general and omnibus. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall 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 Additional Chief Judicial Magistrate, Uluberia, subject to the condition that the petitioner shall appear before the Trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without justifiable cause, the Trial Court shall be at liberty to cancel his bail automatically without further reference to this Court.

The application for bail is, thus, allowed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)