

02.02.2022
Serial no.61
Aloke
Ct. No. 29

CRM (DB) 138 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 13.01.2022 in connection with Ashokenagar P.S. Case No. 630 of 2018 dated 21.09.2018 under Sections 498A/304B of the Indian Penal Code.

-And-

In the matter of : Gopal Das

... ..Petitioner

Mr. Angshuman Chakraborty, Advocate

... .. For the Petitioner

Mr. Saswata Gopal Mukherjee, Id. PP

Ms. Faria Hossain, Advocate

Mr. Aniket Mitra, Advocate

... ..For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody in excess of 3 years 4 months. The police filed charge-sheet. Only one witness was examined subsequent to the filing of the charge-sheet in 2018.

Learned Advocate appearing for the State draws the attention of the Court to the contents in the case diary.

Considering the period of detention of the petitioner, the gravity of the offence and the fact that police filed charge-sheet and in view of the ongoing pandemic, 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 Chief Judicial Magistrate, Barasat, North 24 Parganas, subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail is allowed.

CRM (DB) 138 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)