

02.02.2022
Serial no.69
Aloke
Ct. No. 29

CRM (DB) 163 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 18.01.2022 in connection with Shyampur P.S. Case No. 10 of 2021 dated 06.01.2021 under Sections 376/302/120B of the Indian Penal Code.

-And-

**In the matter of : Golam Hasan Halder @ Raja
... ..Petitioner**

Mr. Binoy Sahne, Advocate
Mr. Md. Sarwar Jahan, Advocate
Mr. Maidul Islam Kayal, Advocate

... For the Petitioner

Mr. Z.N. Khan, Advocate
Mr. Md. Kutub Uddin, Advocate

... ..For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner in custody in excess of one years seven months. The police filed charge-sheet.

Learned Advocate appearing for the State draws the postmortem report and the statement recorded under Section 164 of the Code of Criminal Procedure of the son of the victim.

The postmortem report suggests an external injury of one non-continuous ligature mark on the neck of the victim. There is no eye witness as of now with regard to the incident of hanging.

Considering the period of detention of the petitioner and considering the fact that the police filed charge-sheet and considering 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 Additional Chief Judicial Magistrate, Uluberia,

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) 163 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)