

24.02.2022
Serial no. 44
Dd

CRM (DB) 533 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Itahar** Police Station Case No. **705** of **2021** dated **13.11.2021** under Sections **498A/302/34** of the Indian Penal Code(Corresponding G.R. Case no. **2802 of 2021**).

-And-

In the matter of : Jaharul Hoque @ Jaharul Hak

...Petitioner

Ms. Busra Khatun, Advocate
... ... For the Petitioner

Ms. Faria Hossain,
Mr. Anand Keshri, Advocates
... ...For the State

Considering the fact that the police submitted charge sheet, *inter alia*, under Section 304B of the Indian Penal Code after excluding a case, *inter alia*, under Section 302 of the Indian Penal Code and considering the post mortem report which satisfies a non-continuous ligature mark around the neck of the victim, the period of detention of the petitioner and considering the fact that other co-accuseds were enlarged on anticipatory bail, 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, Uttar Dinajpur at Raiganj 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 of the petitioner is **allowed**.

CRM (DB) 533 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)