

31.03.2022
Serial no. 27
CHC
Ct. No. 29
Allowed

CRM (DB) 742 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 14th March, 2022 in connection with Kumarganj Police Station Case No.290 of 2021, dated 11.12.2021 for offence punishable under Sections 498A/328/307/34 of the Indian Penal Code..

-And-

In the matter of : Majnu Molla & anr.

...Petitioners

Ms. Busra Khatun, Advocate

... ... For the Petitioners

Mr. Debabrata Chatterjee, Advocate

Mr. Arindam Sen, Advocate

Ms. Mousumi Sarkar, Advocate

... ...For the State

Petitioners seek bail.

Learned advocate appearing for the petitioners submits the petitioners are languishing for 106 days in jail.

Police filed charge-sheet. Therefore, further detention of the petitioners are not required.

Learned advocate appearing for the State draws the attention of this Court to the statement of the victim recorded under Section 161 of the Code of Criminal Procedure as well as the medical report.

Considering the period of detention of the petitioners and considering the fact that police filed charge-sheet and considering the gravity of the offence and involvement of the petitioners therein, we grant bail to the petitioners.

Accordingly, we direct that the petitioners 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, Dakshin Dinajpur, Balurghat, subject to condition that the petitioners 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 petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioners in accordance with law without further reference to this Court.

The prayer for bail of the petitioners are allowed.

CRM (DB) 742 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)