

57 22.03.2022
AD Ct. No.29
(Allowed)

C.R.M. (DB) 769 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Shyampur** P.S. Case No. **376 of 2021** dated **20/09/2021** under Sections **498A/304B/406/34** of the Indian Penal Code and **3/4** of D.P. Act, corresponding to G.R. Case No.2182 of 2021.

And

In the matter of: Sanjib Samanta

....petitioner.

Md. Sarwar Jahan

Mr. Maidul Islam Kayal

...for the petitioner.

Mr. Tanmay Kumar Ghosh

Ms. Sonali Bhar

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 184 days. The police submitted charge sheet and, therefore, further detention of the petitioner is not required. He highlights the fact that the police case was started on the basis of an order passed under Section 156(3) of the Code of Criminal Procedure and that too after two months of the incident.

Learned Advocate appearing for the State draws the attention of the Court to the dying declaration made by the victim before the doctor.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the post-mortem report of the victim and considering the period of detention of the petitioner and considering the fact that the police submitted charge sheet, we grant bail to the petitioner.

Accordingly, the petitioner 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 during bail the petitioner shall appear before the learned trial court on the date fixed till disposal of the trial and that the petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail being **C.R.M. (DB) 769 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)