

22.04.2022

Sl. 58
Court No.29
suvayan
(Allowed)

C.R.M. (DB) 1039 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.04.2022 in connection with **Asansol North** P.S. case No. **278 of 2019** dated **28/09/2019** under Sections **498A/302/304B/120B** of the Indian Penal Code and Sections **3 & 4** of the Dowry Prohibition Act.

And

In the matter of: Raju Khan

....petitioner.

Mr. Apurba Kr. Datta

...for the petitioner.

Ms. Faria Hossain

Mr. Anand Keshari

...for the State.

Petitioner prays for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 930 days. The Court is lying vacant. The charges are yet to be framed. Therefore, the possibility of the trial concluding any time soon is remote.

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

Considering the period of detention of the petitioner and considering fact that all other co-accuseds are on bail and considering fact that the Court is lying vacant with charges being yet to be framed, 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) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Additional Chief Judicial Magistrate, Asansol, Paschim Bardhaman 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 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) 1039 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)