

06.05.2022

Serial no. 51

[Dd]

(Bail **allowed**)

CRM (DB) 1211 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Nazat** Police Station Case No. **160** of **2021** dated **07.07.2021** under Sections **498A/406/376/511/307/34** of the Indian Penal Code and subsequently charge sheet submitted on **03.02.2022** under Section **498A/406/376/511/323/34** of the Indian Penal Code.

-And-

In the matter of : Monimohan Sarkar

... .. Petitioner

Mr. Santanu Deb Roy,
Mr. Dipankar Guha, Advocates
... .. *For the Petitioner*

Mr. Debabrata Chatterjee, Id. APP
Ms. Sonali Das, Advocates
... ..*For the State*

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 85 days. The police filed charge sheet and, therefore, further detention of the petitioner is not required.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the victim recorded under Section 164 of the Criminal Procedure Code.

Considering the period of detention of the petitioner and considering the materials in the case diary, 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, Basirhat, North 24-Parganas** 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) 1211 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Kausik Chanda, J.)