

10.06.2022
tkm/ct 28
sl no. 47

C.R.M. (DB) 1546 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Amta P.S Case no. 73 of 2021 dated 20.3.2021 under sections 498A/304B/34 IPC and sections 3/4 of the DP Act

And

Allowed

In Re : Sk Ashraful petitioner

Mr. Anindya Ghosh
..... for the petitioner

Mr. S G Mukherjee, Id PP
Mr. P P Das
Ms. Manasi Roy
..... for the State

Petitioner is in custody for 40 days. It is submitted that he was not present at the matrimonial home when the incident occurred. Out of depression, she tried to commit suicide.

Learned lawyer for the State opposes the prayer for bail.

We have considered materials on record. Allegation of torture requires to be assessed in the light of the aforesaid submissions made on behalf of the petitioner.

In view of the aforesaid facts and bearing in mind the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ACJM, Uluberia, Howrah, on condition that the petitioner shall appear before the trial court on every date of hearing and shall not

intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 1546 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)