

13.06.2022  
tkm/ct 28  
sl no. 59

**C.R.M. (DB) 1612 of 2022**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Santipur P.S case no. 195 of 2022 dated 7.3.2022 under section 306 IPC

And

**Allowed**

In Re : Rakesh Sadhukhan

..... petitioner

Mr. K Hasan

..... for the petitioner

Mr. Arijit Ganguly

M. S K Dan

..... for the State

Petitioner is in custody for 87 days. investigation is complete. It is contended that the incident occurred seven years after marriage.

Learned lawyer for the State opposes the prayer for bail.

Having considered materials on record and bearing in mind the facts and circumstances of the case particularly the fact that the incident occurred seven years after marriage and statutory presumption under section 113A of the Evidence Act is not attracted and as investigation is complete, 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, Ranaghat, Nadia 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) 1612 of 2022 is disposed of.

**(Ananya Bandyopadhyay, J.)**

**(Joymalya Bagchi, J.)**