

13.06.2022.
83.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1650 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Simlapal P. S. Case No.13 of 2022 dated 03.03.2022 under Sections 498A/306 of the Indian Penal Code.

In the matter of : Abdul Sadek Mallick.

.... Petitioner.

Mr. Soumik Ganguli.

...for the Petitioner.

Mr. Debabrata Chatterjee, Id. A.P.P.,

Ms. Sonali Das,

Ms. Mousumi Sarkar.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

It is submitted on behalf of the petitioner that he is in custody for about 69 days and investigation is complete. He has been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Allegations of torture are general and omnibus in nature. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner shall 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 Additional Chief Judicial Magistrate, Khatra,

Bankura subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses 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 his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)