

24.06.2022.
14.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1759 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raniganj P. S. Case No.348 of 2021 dated 21.07.2021 under Sections 498A/304B/34 of the Indian Penal Code.

In the matter of : Haider Ali.

.... Petitioner.

Mr. Bitasok Banerjee,
Mr. Apurba Kr. Datta.

...for the Petitioner.

Mr. Bidyut Kr. Roy,
Ms. Rita Datta.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 240 days. It is contended he is not the principal accused. He is further contended he was not at the matrimonial home when the incident occurred.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record which show petitioner was not present at the matrimonial home when the incident occurred. Principal allegations are against the parents-in-law. Allegations of torture are essentially levelled against the parents-in-law of the victim lady.

In view of the extent of complicity of the petitioner in the alleged crime and the period of detention suffered by the

petitioner i.e. 240 days, 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 Chief Judicial Magistrate, Paschim Bardhaman 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.)