

29.06.2022.
49.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2037 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kushmandi P. S. Case No.135 of 2021 dated 01.09.2021 under Sections 498A/304B/34 of the Indian Penal Code and Sections 3 / 4 of the Dowry Prohibition Act.

In the matter of : Murshid Alam.

.... Petitioner.

Mr. Mazahar Hossain Chowdhury,
Ms. Mobashshara Alam.

...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Id. P.P.,
Mr. Partha Pratim Das,
Ms. Manasi Roy.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 245 days. It is submitted victim committed suicide. Co-accuseds are on bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Allegations of torture are general and omnibus. It is contended there was a sudden quarrel and victim committed suicide. Keeping in mind the facts and circumstances of the case 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, Gangarampur at Buniadpur, Dakshin Dinajpur 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.)