

20.07.2022
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allowed

CRM(DB) No. 2397 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Arambagh Police Station Case No. 81 dated 24.03.2022 under Sections 498A/304B of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

And

In Re : Sagar Malik petitioner

Mr. Niladri Sekhar Ghosh
Ms. Srimoyee Mukherjee
Ms. Sompurna Chatterjee
Mr. Sourav Mondal

.....for the petitioner

Mr. Saswata Gopal Mukherji, learned P.P.
Mr. Partha Pratim Das
Mrs. Manasi Roy

..... for the State

Learned Counsel appearing for the petitioner submits that petitioner is in custody for 119 days. It is also submitted that the petitioner has been falsely implicated in the instant case. Co-accuseds have been granted bail.

Learned Counsel appearing 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 circumstances of the case, we are inclined to grant bail to the petitioner.

Accordingly we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each, one of

whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly, on conditions that he shall not intimidate the witnesses or tamper with evidence in any manner whatsoever and he shall appear before the trial court on every date of hearing.

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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)