

28.07.2022
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allowed

CRM(DB) No. 2470 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 350 of 2022 dated 08.04.2022 under Sections 498A/304B/34 of the Indian Penal Code.

And

In Re : Sandip Mondal petitioner

Mrs. Karabi Roy

.....for the petitioner

Mr. Tanmoy Kumar Ghosh

Mr. Arindam Sen

..... for the State

Learned Counsel appearing for the petitioner submits that petitioner is in custody for 106 days. It is also submitted that victim died due to accidental burn injuries. Co-accuseds have been granted pre-arrest bail.

Learned Counsel appearing for the State produces the case diary.

We have considered the materials on record. Statement of victim which is exonerative in nature and in view of the period of detention suffered by the petitioner i.e. 106 days, 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, Krishnagar, Nadia, subject to the

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

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)