

16.08.2022.
24.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2736 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hemtabad P. S. Case No.139 of 2022 dated 20.04.2022 under Sections 498(A)/323/325/328/307/34 of the Indian Penal Code read with Sections 3 / 4 of the D. P. Act.

In the matter of : Kaji Najrul Islam.

.... Petitioner.

Ms. Minoti Gomes.

...for the Petitioner.

Mr. Tanmoy Kr. Ghosh,
Mr. Arindam Sen.

...for the State.

Mr. Pravas Bhattacharyya.

...for the de-facto complainant.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 83 days. It is submitted victim consumed poison at her parental home.

Learned Advocate for the State produces the Case Diary.

Learned Advocate for the de-facto complainant enters appearance. He does not oppose the prayer for bail.

We have considered the materials on record including the statement of the victim recorded under Section 164 of the Code of Criminal Procedure. Her statement is exonerative in nature.

In view of the aforesaid fact and other attending circumstances, 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, Uttar Dinajpur at Raiganj subject to condition that he 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.)