

30.08.2022.
10.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2912 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baishnabnagar P. S. Case No.573 of 2021 dated 18.10.2021 under Sections 498A/304B/302/34 of the Indian Penal Code.

In the matter of : Tanmoy Das.

.... Petitioner.

Mr. Mazhar Hossain Chowdhury,
Ms. Mobashshara Alam.

...for the Petitioner.

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

...for the State.

Petitioner is in custody for 312 days. It is submitted he has been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail. He submits victim was administered poison and died within four years of marriage.

We have considered the materials on record. There is no evidence that the petitioner had administered poison to the victim. Balancing the nature of accusation with the period of detention suffered by the petitioner and as there is little possibility of trial concluding in near future, we are inclined to grant bail to him.

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, Malda 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.)