

01.09.2022.
14.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2951 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.101 of 2022 dated 04.05.2022 under Sections 498A/304B/34 of the Indian Penal Code and Sections 3 / 4 of the Dowry Prohibition Act.

In the matter of : Aminul Islam.

.... Petitioner.

Mr. Mazahar Hossain Chowdhury,
Ms. Mobashshara Alam.

...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Id. P.P.,
Mr. Aniket Mitra.

...for the State.

Petitioner is in custody from 4th May, 2022. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the dying declaration of the victim which is exonerative in nature. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner, 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 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.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)