

26.09.2022
tkm/ct 28
sl no. 36

C.R.M. (DB) 3240 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Khanakul P.S case no. 293 of 2022 dated 1.7.2022 under sections 498A/304B of the IPC read with sections 3 and 4 of the DP Act

and

Allowed

In Re : Sourav Maity

..... petitioner

Mr. N S Ghosh
Ms Srimoyee Mukherjee
Ms. S Chatterjee
Mr. S Mondal

..... for the petitioner

Mr. S. G Mukherjee, ld PP
Mr. Aniket Mitra

..... for the State

Petitioner is in custody for 88 days. He submits that he is innocent. He has been falsely implicated in the instant case. He further submits co-accuseds are on bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered materials on record. Allegations of torture are general and omnibus in nature. Balancing the nature of accusation with the period of detention suffered by the petitioner and as co-accuseds are on bail, we are inclined to grant bail to the petitioner also.

Accordingly, the petitioner 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 ACJM, Arambagh, Hooghly on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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 automatically without reference to this court.

The application being CRM (DB) 3240 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)