

28.09.2022.
22. SL
as
(Allowed)

C.R.M. (DB) 3287 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Palashipara P. S. Case No.185 of 2022 dated 24.05.2022 under Sections 498A/325/313/34 of the Indian Penal Code.

In the matter of : Sukchand Mondal @ Shukchand Mondal.
.... Petitioner.

Mr. Amanul Islam,
Mr. S. Mukherjee.

...for the Petitioner.

Mr. Imran Ali,
Ms. Debjani Sahu.

...for the State.

Petitioner is in custody for 77 days. It is submitted allegation of torture and forcible abortion is out and out false. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record including the medical evidence. There is nothing on record to show that the victim was subjected to forcible abortion.

In view of the aforesaid facts 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, Tehatta,

Nadia 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.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)