

07.11.2022.
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as
(Allowed)

C.R.M. (DB) 3471 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tehatta P. S. Case No.568 of 2022 dated 12.07.2022 under Sections 498A/326/34 of the Indian Penal Code.

In the matter of : Biplab Biswas.

.... Petitioner.

Mr. Atis Kr. Biswas,
Mr. Amit Singh,
Mr. Jyoti Agarwal.

...for the Petitioner.

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

...for the State.

Petitioner is in custody for 71 days. It is submitted there was a heated quarrel between the couple. Victim-housewife suffered injuries in her leg.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. It is contended incident occurred in the course of a heated quarrel. Petitioner had assaulted the victim-housewife in a non-vital part of the body i.e. leg.

Under such circumstances and in view of 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.)