

18.10.2022

Vacation Bench
SL No.125
S.B/s.biswas
(Allowed)

C.R.M. (DB) 3683 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kaliganj** P.S. Case No. **166 of 2022** dated **23.03.2022** under Sections **498A/307/34** of the Indian Penal Code.

And

In the matter of: **Jaker Mallick @ Jeker**
@ Jeker Ali Mallick @ Jekerali Mallik
....Petitioner

Mr. Tapodip Gupta
...for the Petitioner

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
...for the State

Petitioner renews his prayer for bail.

Learned advocate appearing for the petitioner submits that the husband was enlarged on bail by this Hon'ble Court by order dated 8th September, 2022 passed in CRM (DB) No.3052 of 2022. He submits that the petitioner stands in the same footing as that of the husband who was enlarged on bail.

Learned advocate for the State draws the attention of this Court to the materials in the case diary and in particular to the statement recorded under Section 164 of the Code of Criminal Procedure.

The petitioner along with the husband amongst others were named in the statement recorded under Section 164 of the Code of Criminal Procedure. The husband of the victim was enlarged on bail by the order dated September 8, 2022.

In such circumstances we extend the same facility to the present petitioner.

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 Chief Judicial Magistrate, Krishnagar, Nadia subject to the condition that he shall not intimidate witnesses or tamper with evidence in any manner whatsoever and he shall appear before the trial court on every date of hearing.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel the bail without any further reference to this Court.

The application for bail being C.R.M. (DB) 3683 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Ajay Kumar Gupta, J.)