

31.10.2022
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allowed

CRM(DB) No. 3796 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kalyani Police Station Case No. 397 of 2022 dated 19.07.2022 under Sections 498A/304B/34 of the Indian Penal Code.

And

In Re : Pran Krishna Shil petitioner

Mr. Shekhan Barman
Mr. Rohit Prasad

.....for the petitioner

Ms. Manisha Sharma
..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 104 days. Investigation is complete. It is also contended incident occurred due to a domestic quarrel after six years of marriage.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record including statement of the minor child of the deceased housewife. There was a quarrel between the couple on the day of occurrence. Petitioner-husband was not present in the house when the incident occurred six years after marriage.

Keeping in mind the aforesaid circumstances and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly we direct that 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, Kalyani, Nadia, subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)