

15.11.2022
Sl. No.11
akd
[ALLOWED]

C. R. M. (DB) 3822 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.10.2022 in connection with Duttapukur Police Station Case No. 296 dated 02.04.2022 under Sections 498A/302/34 of the Indian Penal Code. (G.R. Case No.1280 of 2022)

And

In Re: ***Jahid Molla @ Jahid Hassan Molla***

... .. Petitioner

Mr. Jayanta Narayan Chatterjee
Mr. Yunus Mondal
Mr. Pronojit Roy
Mr. Nazir Ahmed
Ms. Jayashree Patra

... .. for the petitioner

Mr. Arijit Ganguly
Mr. Ashok Das

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for about 218 days. It is further submitted victim suffered suicidal death. Petitioner did not play any role in the incident.

Learned advocate appearing for the State opposes the prayer for bail.

Pursuant to an order dated 28.10.2022, report is placed on record with regard to an alleged loan taken in the name of the deceased-housewife. Report submitted before us does not support such allegation.

We have considered the materials on record. Injury report collected in course of investigation at page 87 of the case diary shows victim had committed suicide. Incident occurred 20 years after marriage. Petitioner is a relation of the husband of the victim-housewife. Statement of the son of the deceased recorded under Section 164 of the Code of Criminal Procedure does not implicate the petitioner. In

view of the aforesaid circumstances and as there is little progress in the matter since the rejection of bail by this court, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Jahid Molla @ Jahid Hassan Molla***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, North 24-Parganas at Barasat subject to condition that the said petitioner 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 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 for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)