

25.11.2022.
25.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4130 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kalyani P. S. Case No.433 of 2022 dated 01.08.2022 under Sections 498A/307 of the Indian Penal Code and added Section 313 of the Indian Penal Code.

In the matter of : Ashutosh Mridha.

.... Petitioner

Mr. Shibaji Kr. Das,
Ms. Rupsa Sreemani.

...for the Petitioner.

Mr. Tanmoy Kr. Ghosh, Id. S.G.A.,
Mr. Arindam Sen.

...for the State.

Petitioner is in custody for 117 days. He submits allegation of setting the victim housewife on fire is out and out false. Incident occurred at her parental home one and half years before registration of FIR. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Allegation of setting the victim housewife on fire is required to be assessed in the light of the aforesaid submissions made on behalf of the petitioner.

Balancing the nature of accusation with the period of detention suffered by him, 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, Kalyani, 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.)