

02.12.2022.
21.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4249 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nadanghat P. S. Case No.164 of 2022 dated 25.05.2022 under Sections 498A/304B/306/34 of the Indian Penal Code.

In the matter of : Bapi Das @ Rakesh Das.

.... Petitioner.

Ms. Oindrila Ghosh.

...for the Petitioner.

Mr. P. K. Datta, Id. A.P.P.,
Mr. Santanu Deb Roy.

...for the State.

Petitioner is in custody for 240 days. He renews his prayer for bail. He submits there is no progress in the matter before the trial court since rejection of bail by this Court.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Victim-housewife died due to hanging. There is no progress in the matter before the trial court since rejection of bail by this Court.

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 viz., Bapi Das @ Rakesh Das 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, Kalna, Purba Bardhaman subject to condition 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.)