

19.12.2022
SI. No.34
akd
[ALLOWED]

C. R. M. (DB) 4451 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.12.2022 in connection with Hanskhali Police Station Case No.868 of 2022 dated 03.09.2022 under Sections 498A/304B/34 of the Indian Penal Code.

And

In Re: ***Akkas Ali Mondal @ Abbas Mondal***

... .. Petitioner

Mr. Joy Chakraborty
Mr. Sandip Dinda

... .. for the petitioner

Mr. Tanmoy Kr. Ghosh
Mr. Arindam Sen

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 106 days. Investigation is complete.

Learned Advocate appearing for the State opposes the prayer for bail and submits victim-housewife committed suicide at the matrimonial home.

We have considered the materials on record. Allegations of torture are general and omnibus. Incident occurred six years after marriage. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Akkas Ali Mondal @ Abbas Mondal***, 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia 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.)