

22.12.2022.
16.
as
(Allowed)

C.R.M. (DB) 4500 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Khanakul P. S. Case No.280 of 2022 dated 17.06.2022 under Sections 489(A)/304(B) of the Indian Penal Code.

In the matter of : Sk. Galib Hassan.

.... Petitioner.

Mr. Sourav Mondal,
Ms. Sompurna Chatterjee.

...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Id. P.P.,
Mr. Partha Pratim Das,
Ms. Manasi Roy.

...for the State.

Petitioner is in custody for 187 days. Investigation is complete. He submits he has been falsely implicated in the instant case. He prays for bail.

Learned Advocate for the State opposes the prayer for bail. He submits victim-housewife committed suicide by hanging herself at the matrimonial home.

We have considered the materials on record. Allegations of torture are general and omnibus. Incident occurred four and half years after marriage. There is little possibility of the trial concluding in the near future. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Sk. Galib Hassan 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, Arambagh, Hooghly 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.)