

23.12.2022.
72.
as
(Allowed)

C.R.M. (DB) 4582 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Banshihari P. S. Case No.169 of 2022 dated 22.07.2022 under Sections 498A/306/34 of the Indian Penal Code.

In the matter of : Rahim Ansari @ Ramhi Ansari.
.... Petitioner.

Mr. Mazhar Hossain Chowdhury,
Ms. Mobashshara Alam.
...for the Petitioner.

Mr. P. K. Datta, Id. A.P.P.,
Mr. Santanu Deb Roy,
Md. Kutubuddin.
...for the State.

Petitioner is the brother-in-law of the victim-housewife.
He submits he is in custody for 154 days and investigation is complete. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Allegations of torture are general and omnibus. Investigation is complete.

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., Rahim Ansari @ Ramhi Ansari 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, Gangarampur at

Buniadpur, Dakshin Dinajpur 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.)