

23.12.2022
tkm/ct 28
sl no. 116

C.R.M. (DB) 4632 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Shasan P.S case no. 93 of 2021 dated 19.4.2021 under sections 498A/326/307 of the IPC and adding section 302 IPC

And

Allowed

In Re : Jumman Ali

..... petitioner

Ms. Sreyashee Biswas
Ms. Benajir Hasna
Mr. Atiul Islam

..... for the petitioner

Ms. Faria Hossain
Ms. Baisali Basu
Mr. Anand Keshari

..... for the State

Petitioner is in custody for more than 600 days. There is no progress in the matter since rejection of bail by this court. He renews his prayer for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record including the dying declaration. Dying declaration primarily implicates the mother in law in the offence. Allegation against the petitioner i.e. father in law of the victim housewife is general one.

Keeping in mind the aforesaid circumstance and the protracted period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 ACJM, Barasat, North 24 Parganas on condition that the petitioner shall appear before the trial court on every date of

hearing 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 being CRM (DB) 4632 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)