

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
(Through Video Conference)**

28.07.2022
cm/ct 28
sl no. 9

C.R.M. (DB) No. 276 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Kotwali P.S Case No. 1243 of 2021** dated **20.12.2021** under Sections **498A/304B/34** of the Indian Penal Code.

And

Allowed

In Re : Jakir Hossain

..... petitioner

Ms. Suman Sehanabis(Mondal)

..... for the petitioner

Mr. Ujjwal Luksom

Mr. Biswaroop Roy

..... for the State

Petitioner is in custody for 216 days. It is contended co-accuseds are on bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Victim died due to hanging within six years of marriage. Allegations of torture are general and omnibus. Balancing the nature of accusation with the period of detention suffered by the petitioner and as investigation is complete, 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, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Cooch Behar on condition that the petitioners 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) No.276 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)