

10.01.2023
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allowed

CRM(DB) No. 72 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ghatal Police Station Case No. 346 of 2019 dated 17.10.2019 under Sections 498A/323/307/406/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

And

In Re : Manoj Bhuniya @ Manoj Bhunia petitioner

Mr. Niladri Sekhar Ghosh
Ms. Sutanuka Chowdhury
Ms. Sompurna Chatterjee
Mr. Sourov Mondal

.....for the petitioner

Mr. S. G. Mukherji, learned PP
Mr. P. P. Das
Mrs. Manasi Roy

..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for about 40 days. It is also submitted he has been falsely implicated. He prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record including the injury report. Injuries do not appear to be grievous. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to him.

Accordingly, we direct that the petitioner 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,

Ghatal, Paschim Medinipur, subject to condition that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)