

18.01.2023
tkm/ct 28
sl no. 46

C.R.M. (DB) 220 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Asansol (South) P.S case no. 54 of 2022 dated 10.2.2022 under sections 498A/302/304B/201/120B/34 of the IPC read with sections 3/4 of the DP Act

and

Allowed

In Re : Manju Nonia & Anr.

..... petitioners

Mr. Sekhar Bose, Sr. Adv

Mr. Avik Ghatak

Mr. S De Dhara

..... for the petitioners

Mr. S G Mukherjee, Id PP

Ms. Faria Hossain

Mr. Anand Keshari

Ms. M Jana

..... for the State

Petitioners are in custody for 341 days. It is submitted there is slow progress in the matter. They renew their prayer for bail.

Learned lawyer for the State submits date has been fixed for commitment.

We have considered the materials on record. Case has not yet been committed. There is little possibility of trial concluding in the near future. Incident occurred five years after marriage. Balancing the nature of accusation with the period of detention suffered by the petitioners, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local to the satisfaction of the learned CJM, Paschim Bardhaman 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM (DB) 220 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)