

20.01.2023
as/tkm/ct 28
sl no. 36

C.R.M. (DB) 254 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chandrakona P.S case no.497 of 2022 dated 2.12.2022 under sections 498A/313/323/307/406/506/354/34 of the IPC

Allowed and
In Re : Sagar Chakraborty petitioner

Mr. A Karmakar
Mr. A Bhowmick

..... for the petitioner

Mr. S G Mukherjee, ld PP
Mr. Aniket Mitra

..... for the State

Petitioner is in custody for 47 days. He is the elder brother of the housewife. It is submitted he has been falsely implicated in the instant case. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Medical report does not give a clear indication of miscarriage due to assault.

In view of the aforesaid circumstance and the 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 Ghatal 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) 254 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)