

09.02.2023.
12.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 493 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pursurah P. S. Case No.96 of 2022 dated 01.07.2022 under Sections 498A/304B/406/109 of the Indian Penal Code and charge sheet submitted under Sections 498A/304B/406 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

In the matter of : Biswajit Maity @ Bishwajit Maity.
.... Petitioner.

Mr. Tanmoy Chowdhury,
Ms. Ritoprita Ghosh.
...for the Petitioner.

Mr. Saswata Gopal Mukherji, ld. P.P.,
Mr. Partha Pratim Das,
Mrs. Manasi Roy.
...for the State.

Petitioner is in custody for 213 days. He renews his prayer for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. There is no appreciable progress in the matter since rejection of bail by this Court in October, 2022.

Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Biswajit Maity @ Bishwajit Maity 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, Arambag, Hooghly subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any 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, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)