

23.02.2023
tkm/ct 28
sl no. 76

C.R.M. (DB) 750 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Murutia P.S case no.110 of 2022 dated 22.5.2022 under sections 498A/354A/354B/354C/326/307/34 of the IPC

Allowed and
In Re : Debashish Ghosh petitioner

Mrs. Karabi Roy
..... for the petitioner
Mr. S G Mukherjee, ld PP
Mr. P P Das
Mrs. Manasi Roy
Ms. Eshita Dutta
..... for the State

Petitioner is in custody for 276 days. There is delay in trial.
He renews his bail prayer.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Though allegations are serious, there is delay in commencement of trial. Completion of trial in near future is a remote possibility. Petitioner has strong roots in society and there is no chance of abscondance.

Under such circumstances, we are inclined to grant bail to the petitioner, however subject to conditions.

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 Tehatta 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 and on further condition that the petitioner while on bail shall not enter the jurisdiction of Murutia P.S until further orders and shall provide address where he shall presently reside to the

investigating officer as well as to the court below and shall report to the officer in charge of the P.S concerned within whose jurisdiction he shall presently reside once in a week until further orders.

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) 750 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)