

23.03.2023.
28.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1052 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Goghat P. S. Case No.328 of 2022 dated 28.11.2022 under Sections 498A/304B/34 of the Indian Penal Code.

In the matter of : Raj Komal Panja @ Raj Kamal Panja.
.... Petitioner.

Mr. Niladri Sekhar Ghosh,
Ms. Sompurna Chatterjee,
Mr. Sourov Mondal.

...for the Petitioner.

Mr. Saswata Gopal Mukherji, Id. P.P.,
Mr. Aniket Mitra.

...for the State.

Petitioner is in custody for 120 days. Investigation is complete. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits victim was tortured and committed suicide at the matrimonial home.

We have considered the materials on record. Allegations of torture are general and omnibus. Victim committed suicide. Prosecution case is not one of homicide.

Keeping in mind the aforesaid facts, period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner Raj Komal Panja @ Raj Kamal Panja 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, Arambagh, 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.)