

28.03.2023
tkm/ct 28
sl no. 67

C.R.M. (DB) 1172 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Nanoor PS case no. 167 of 2021 dated 17.9.2021 under sections 498A/302/34 of the IPC

And

Allowed

In Re : Biswajit Mete

..... petitioner

Mr. Somnath Banerjee

Mr. P Roy

..... for the petitioner

Mr. S G Mukherjee, Id PP

Mr. P P Das

Ms. Manasi Roy

..... for the State

Petitioner is in custody for 150 days. He is the husband of the victim-housewife. He submits he was not present at the matrimonial home when the victim suffered homicidal death. He does not stand on the same footing with co-accused (father-in-law of the victim) whose bail prayer has been rejected earlier.

Learned lawyer for the State opposes the bail prayer.

Keeping in mind the extent of complicity of the petitioner in the alleged crime, period of detention suffered by him and as investigation is complete, 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, Bolpur, Birbhum 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) 1172 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)