

29.03.2023
Sl. No.43
akd
[ALLOWED]

C. R. M. (DB) 1202 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.03.2023 in connection with Nakshipara Police Station Case No.329 of 2022 dated 02.05.2022 under Sections 498A/306/34 of the Indian Penal Code.

And

In Re: ***Ghota Faraji @ Ghonta Faraji @ Ghunta Faraj & Anr.***
... .. Petitioners

Mr. Sumanta Das

... .. for the petitioners

Mr. Joydeep Roy .. Jr. Govt. Advocate

Ms. Sujata Das

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Petitioners are the father-in-law and maternal uncle-in-law respectively of the deceased housewife. Incident occurred ten years after marriage. Statements of the children of the deceased do not find corroboration from the nature of injuries noted in the post-mortem report. Co-accused husband has been enlarged on bail. Under such circumstances, we are inclined to extend the same privilege to the petitioners also.

Therefore, the accuseds/petitioners, namely ***(1) Ghota Faraji @ Ghonta Faraji @ Ghunta Faraj & (2) Patai Sk.,*** be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia at Krishnanagar subject to condition that the said petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)