

31.03.2023
tkm/ct 28
sl no. 66

C.R.M. (DB) 1294 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Ashoknagar P.S case no. 52 of 2023 dated 28.1.2023 under sections 498A/326/307/406/34 of the IPC and

Allowed

In Re : Giyas Uddin Mondal

..... petitioner

Mr. S Chakraborty

..... for the petitioner

Mr. Prasun Datta

Mr. S Deb Roy

..... for the State

Petitioner submits there was a matrimonial dispute between the parties. He has been falsely implicated. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. There was a domestic dispute. Injuries though on the head do not appear to be serious, balancing the nature of accusation with the period of detention suffered by the petitioner i.e 51 days, 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 CJM, North 24 Parganas at Barasat 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) 1294 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)