

06.04.2023
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allowed

CRM(DB) No. 1373 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 864 of 2022 dated 23.08.2022 under Sections 498A/307/302 of the Indian Penal Code.

And
In Re : Biswajit Patra petitioner

Ms. Minoti Gomes
....for the petitioner

Mr. S. G. Mukherji, learned PP
Mr. Aniket Mitra
.... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. Petitioner is in custody for 225 days. Oral dying declaration of the victim to the mother is contradicted with the entries made in the medical papers showing “self-induced burn injury”. Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner 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, Ranaghat, Nadia, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)