

CRM(DB) No. 1375 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 1143 of 2022 dated 12.11.2022 under Sections 498A/326/307/376/34 of the Indian Penal Code.

And
In Re : Mihir Ghosh petitioner

Ms. Sananda Bhattacharyya
.....for the petitioner

Mr. S. G. Mukherji, learned P.P.
.... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. Allegations of assault on the victim lady including sexual assault is not supported by medical evidence. Petitioner/husband is in custody for 132 days. Investigation is complete. 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.)