

11.04.2023
tkm/ct 28
sl no. 54

C.R.M. (DB) 1426 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chakdah PS case no. 312 of 2022 dated 15.5.2022 under sections 498A/304B/34 IPC

And

Allowed

In Re : Sunny @ Sanny Chakraborty

..... petitioner

Mr. S K Das
Ms. R Sreemani

..... for the petitioner

Mr. Debabrata Chatterjee
Mr. Arani Bhattacharyya

..... for the State

Petitioner is in custody for 330 days. His wife committed suicide. He was not present at the place of occurrence. He prays for bail.

Learned lawyer for the State opposes the bail prayer. He submits petitioner tortured his wife who committed suicide.

We have considered the materials on record. Statement of the landlord recorded under section 164 Cr.P.C shows petitioner was not present at the place of occurrence when his wife committed suicide. Petitioner is in custody for 330 days. Balancing the nature of accusation with the period of detention suffered by the petitioner 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 Kalyani, Nadia 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) 1426 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)