

25.04.2023
Sl. No.27
akd
[ALLOWED]

C. R. M. (DB) 1533 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.04.2023 in connection with Gangarampur Police Station Case No.325 of 2021 dated 22.08.2021 under Sections 498A/302/304B/34 of the Indian Penal Code. (G.R. Case No.735 of 2021)

And

In Re: ***Mansoor Ali***

... .. Petitioner

Mr. Kaushik Choudhury

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor

Mr. Aniket Mitra

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than 600 days.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Victim committed suicide. Trial has not commenced as yet. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Mansoor Ali***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Gangarampur at Buniadpur, Dakshin Dinajpur subject to condition that the said petitioner 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 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 for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)