

18.04.2023
tkm/ct 28
sl no. 71

C.R.M. (DB) 1545 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Nakashipara PS case no. 810 of 2022 dated 14.10.2022 under sections 498A/406/302/304/34 of the IPC charge sheet submitted under sections 498A/304B/34 of the IPC

And

Allowed

In Re : Sujay Sarkar petitioner

Mr. S Majumder

..... for the petitioner

Mr. S G Mukherjee, ld PP

Mr. P P Das

Ms. Manasi Roy

..... for the State

Petitioner is in custody for 154 days. It is submitted he has been falsely implicated. He prays for bail.

Learned lawyer for the State opposes the bail.

We have considered the materials on record. Allegations of torture are general and omnibus. Investigation is complete. There is no possibility of abscondence.

Keeping in mind the aforesaid facts and 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 CJM, Nadia at Krishnagar 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) 1545 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)