

24.04.2023
tkm/ct 28
sl no. 61

C.R.M. (DB) 1639 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Dadpur PS case no. 119 of 2021 dated 27.7.2021 under sections 498A/376(2)(n)/494/384/354C of the IPC read with section 4 of the DP Act and section 66(D)/67 of the IT Act

And

Allowed

In Re : Sourav Gangopadhyay

..... petitioner

Mr. Sekhar Basu, Sr Adv

Mr. K K Mukherjee

Ms. S Dutta

Ms. P Singh

..... for the petitioner

Mr. S Bapuli

Mr. Bibaswan Bhattacharya

..... for the State

Petitioner is in custody for 635 days. It is submitted vulnerable witness i.e. victim lady has already been examined. He prays for bail.

Learned lawyer for the State submits trial is in progress.

We have considered the materials on record. Incident arose out of matrimonial dispute. Victim wife has already been examined. Though some witnesses have been examined, there is little possibility of trial concluding in the near future. 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 CJM Hooghly at Chinsurah 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) 1639 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)