

11.05.2023
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allowed

CRM(DB) No. 1862 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat Police Station Case No. 844 of 2022 dated 21.12.2022 under Sections 498A/304B of the Indian Penal Code.

And

In Re : Sandipan Ghosh petitioner

Mr. Milon Mukherjee, Sr. Adv.

Mr. Biswajit Manna

....for the petitioner

Mr. Saswata Gopal Mukherji, learned PP

Ms. Faria Hossain

Mr. Anand Keshari

.... for the State

Learned senior Counsel for the petitioner submits he is in custody for 140 days. It is also submitted there was a domestic dispute between the parties. Victim housewife committed suicide. Investigation is complete. He prays for bail.

Learned Counsel for the State opposes the bail prayer.

We have considered the materials on record. It is alleged that the petitioner used to come in an inebriated condition and torture the housewife. Investigation is complete. Petitioner has permanent home and hearth and there is no chance of abscondence. Balancing the nature of accusation with the period of detention suffered by the petitioner i.e. 140 days, 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.)