

17.05.2023
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allowed

CRM(DB) No. 1978 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chakdaha Police Station Case No. 100 of 2023 dated 22.02.2023 under Sections 306/34 of the Indian Penal Code.

And

In Re : Buddhadeb @ Buddhadev Majumder petitioner

Mr. Raja Biswas
Mr. Abhijit Sarkar

....for the petitioner

Mr. Prasun Kumar Datta, learned APP
Mr. Santanu Deb Roy

.... for the State

Learned Counsel for the petitioner submits he is the father of the victim boy. It is also contended that principal allegation is against the step-mother who is on bail. He prays for bail.

Learned Counsel for the State opposes the bail prayer and submits petitioner and his wife i.e. the step-mother tortured the victim who committed suicide.

We have considered the materials on record. Petitioner is the father of the victim boy. Co-accused i.e. the step-mother is on bail. No suicide note implicating the petitioner has been collected. Under such circumstances, 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,

Kalyani, 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.)