

29.05.2023.
25.
Ct.No.04
as/TN
(Allowed)

C.R.M. (DB) 2131 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gangarampur P. S. Case No.478 of 2021 dated 15.11.2021 under Sections 498A/304B/34 of the Indian Penal Code and charge sheet submitted under Sections 498A/304B/34 of the Indian Penal Code read with Section 4 of DP Act, 1961.

In the matter of : Bhim Singh.

.... Petitioner.

Mr. Asim Kr. Chakraborti.

...for the Petitioner.

Mr. Bidyut Kr. Roy,
Ms. Rita Datta.

...for the State.

Mr. Roy, learned Advocate for the State raises vehement objection to the prayer for bail, on the ground that the victim died within eight months of marriage and also there are specific materials against the present petitioner who happens to be the husband of the victim.

The petitioner has on the contrary stressed on the period of his detention, that is, since 19th December, 2021. It has also been submitted that the court, before which the case is pending, is lying vacant at present.

Considering both the circumstances placed before us by the learned Advocates for the parties, we are of the opinion that further custody pending trial of the case would not be imperative for the petitioner.

Accordingly, 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, Buniadpur, Dakshin Dinajpur, subject to condition that he 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 the petitioner fails to appear before the Trial Court without any 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, thus, disposed of.

(Rai Chattopadhyay, J.)

(Tirthankar Ghosh, J.)