

03.07.2023.
35.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2340 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola P. S. Case No.51 of 2023 dated 09.02.2023 under Sections 498A/304(B)/306/34 of the Indian Penal Code.

In the matter of : Tohidul Islam @ Tohid Sk. @ Tohidul Sk.
.... Petitioner.

Mr. Debapriya Samanta.

...for the Petitioner.

Mr. Saswata Gopal Mukherji, Id. P.P.,
Mr. Aniket Mitra,
Ms. Jonaki Saha.

...for the State.

Petitioner is in custody for 142 days. Investigation is complete. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits victim housewife committed suicide due to torture by the petitioner.

We have considered the materials on record. Allegations of torture are general and omnibus. Investigation is complete. There is no chance of abscondence and there is little possibility of trial concluding in the near future.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Tohidul Islam @ Tohid Sk. @ Tohidul Sk. 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, Lalbag, Murshidabad

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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)