

03.07.2023
tkm/ct 28
sl no. 83

C.R.M. (DB) 2406 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Dhantala P.S case no. 645 of 2022 dated 9.6.2022 under section 498A/307 IPC
and

Allowed

In Re : Sanjay Baidya ... petitioner

Mr. Sumanta Das
..... for the petitioner

Mr. B K Roy
Ms. Sima Biswas
..... for the State

Petitioner is in custody for 292 days. It is submitted that trial has not commenced. He prays for bail.

Learned lawyer for the State opposes the bail prayer. He submits that the victim housewife was throttled.

We have considered the materials on record. Petitioner is in custody for a considerable period of time. Trial has not commenced. 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 ACJM, Ranaghat, Nadia 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) 2406 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)