

04.07.2023.
131.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2578 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Frezarganj P. S. Case No.05 of 2023 dated 28.01.2023 under Sections 498A/304B/306/34 of the Indian Penal Code.

In the matter of : Santosh Das.

.... Petitioner.

Mr. Souryadeep Ghosh,
Mr. Satyajit Senapati,
Ms. Poulami Chattopadhyay.

...for the Petitioner.

Mr. Debabrata Chatterjee, Id. A.P.P.,
Mr. Mirza Firoj Ahmed Begg.

...for the State.

Supplementary affidavit is placed on record.

Heard the learned Advocates for the parties.

We have considered the materials on record. Allegations of torture are general and omnibus.

Keeping in mind the aforesaid circumstances and period of detention suffered by the petitioner i.e. 156 days, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner, viz., Santosh Das 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, Kakdwip, South 24-Paraganas 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.)