

17.07.2023  
52  
sdas  
allowed

CRM(DB) No. 2817 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Taherpur Police Station Case No. 91 of 2023 dated 01.03.2023 under Sections 498A/304B/34 of the Indian Penal Code.

And  
In Re : Badol Biswas ..... petitioner

Mr. Sumanta Das  
....for the petitioner

Mr. S. G. Mukherji, learned P.P.  
Mr. Partha Pratim Das  
Mrs. Manasi Roy

.... for the State

Learned Counsel for the petitioner submits he is in custody for 137 days. Investigation is complete. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Allegations of torture are general and omnibus in nature. Death is due to hanging. Petitioner is in custody for 137 days and investigation is complete. There is no chance of his abscondence. Accordingly, 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, Ranaghat, 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.)**