

18.07.2023
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allowed

CRM(DB) No. 2846 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 293 of 2023 dated 04.04.2023 under Sections 498A/304B/34 of the Indian Penal Code.

And
In Re : Raju Ghosh petitioner

Ms. Sananda Bhattacharyya
....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 the brother-in-law of the victim housewife. It is also contended that he has been falsely implicated. He prays for bail.

Learned Counsel for the State opposes the bail prayer and submits victim housewife was tortured and committed suicide within three years of marriage.

We have considered the materials on record. Allegations of torture are general and omnibus. Keeping in mind the extent of complicity of the petitioner who is brother-in-law of the victim lady in the crime and as investigation is complete and there is no change of abscondence, we are inclined to grant bail to him.

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.)