

03.08.2023
Sl. No.27
akd
[ALLOWED]

C. R. M. (DB) 3077 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.07.2023 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: **Sourav Biswas**

... .. Petitioner

Mr. Sumanta Das

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor
Ms. Faria Hossain
Mrs. Mamata Jana

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 155 days. Co-accused have been enlarged on bail. Investigation is complete. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits victim-housewife was tortured at the matrimonial home and she committed suicide.

We have considered the materials on record. Allegations of torture are general and omnibus. Co-accused have been enlarged on bail. Investigation is complete. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Sourav Biswas**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 condition that the said petitioner 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 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 for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)