

08.08.2023
tkm/ct 28
sl no. 58

C.R.M. (DB) 3115 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Jiaganj P.S case no. 56 of 2023 dated 5.3.2023 under sections 498A/304B/306 IPC read with section 4 of the DP Act

and

Allowed

In Re : Kusal Debnath @ Kushal Debnath ... petitioner

Mr. G M Imrohi
Mr. D Dutta

..... for the petitioner

Mr. S G Mukherjee, Id PP
Ms. Faria Hossain
Mr. Anand Keshari

..... for the State

Petitioner is in custody for 153 days. He is the husband of the victim housewife. It is submitted co-accused mother-in-law has been enlarged on bail. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Allegations of torture are general and omnibus. Incident occurred six years after marriage. Investigation is complete. There is no chance of abscondance.

Under such circumstances, 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, Lalbag, Murshidabad 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) 3115 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)