

08.08.2023.
79.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 3138 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Swarupnagar P. S. Case No.1066 of 2022 dated 02.11.2022 under Sections 498A/302/304B/506/34 of the Indian Penal Code.

In the matter of : Ananda Ghosh.

.... Petitioner.

Mr. Santanu Deb Roy,
Mr. D. Guha.

...for the Petitioner.

Mr. Saswata Gopal Mukherji, Id. P.P.,
Mr. Partha Pratim Das,
Ms. Manasi Roy.

...for the State.

Ms. Susmita Mandal.

...for the de-facto complainant.

Petitioner is in custody for 235 days. It is submitted victim housewife committed suicide. Investigation is complete. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Investigation is complete. It is also relevant to note there is no evidence that petitioner had administered poison to the victim housewife.

Balancing the nature of accusation with the period of detention suffered by the petitioner i.e. 235 days and as there is no chance of absence, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Ananda Ghosh 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 Chief Judicial Magistrate, Barasat, North 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.)