

18.09.2023
Sl. No.16
akd
[ALLOWED]

C. R. M. (DB) 3568 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.09.2023 in connection with Santipur Police Station Case No.219 of 2018 dated 23.06.2018 under Sections 498A/307/34 of the Indian Penal Code. (G.R. Case No.1025 of 2018)

And

In Re: **Laxman Mistry**

... .. Petitioner

Mr. Ashok Das
Mr. Sourav Mukherjee

... .. for the petitioner

Mr. Debabrata Chatterjee .. Id. Addl. Public Prosecutor
Mr. Santanu Chatterjee

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 53 days. It is further submitted petitioner has been falsely implicated. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record including the medical papers. Admission report gives an impression victim had taken sleeping pills. Allegations of torture are general and omnibus. Investigation is complete. There is no chance of abscondence of the petitioner. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Laxman Mistry**, 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.

5. 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.
6. The application for bail, thus, stands allowed.

(Ajoy Kumar Mukherjee, J.)

(Joymalya Bagchi, J.)