

18.09.2023
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allowed

CRM(DB) No. 3626 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 127 of 2023 dated 28.02.2023 under Sections 498A/304B//306/34 of the Indian Penal Code.

And
In Re : Sajed Sk. petitioner

Mr. Anisur Rahman
....for the petitioner

Mr. Binay Panda
Ms. Puspita Saha
.... for the State

1. Learned Counsel for the petitioner submits petitioner is in custody for 81 days. Petitioner is the husband of the married sister-in-law. He did not ordinarily reside at the matrimonial home. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. Co-accused (mother-in-law of the victim) has been released on bail. Accordingly, we are inclined to extend the same privilege to the petitioner.

4. 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 Chief Judicial Magistrate, Murshidabad at Berhampore, 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.

5. 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.

6. The application for bail is, accordingly, allowed.

(Ajoy Kumar Mukherjee, J.)

(Joymalya Bagchi, J.)