

CRM (DB) 3652 of 2023

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bowbazar P.S. Case No. 92 of 2023 dated 22.05.2023 under section 326A of the Indian Penal Code.

And

In the matter of : Bhola Prasad

Mr. Subhajit Chowdhury	 for the petitioner
Mr. Rudradipta Nandy	
Mr. Iqbal Kabir	 for the State
Mr. Sourav Mondal	 for the de facto complainant

1. Petitioner submits there was a matrimonial dispute. The dispute has since been settled. He prays for bail.
2. Learned lawyer for the de facto complainant does not oppose the prayer for bail.
3. Learned lawyer for the State submits petitioner threw acid at his wife.
4. We have considered the materials on record. Allegations are grave. But the parties have resolved the dispute and want to resume their matrimonial life. Hence, further detention is not necessary.
5. Under such circumstances, we are inclined to grant bail to the petitioner.
6. Accordingly, 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 Metropolitan Magistrate, Calcutta subject to the condition that the 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.

7. In the event the petitioner fails to do so without justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this court.
8. The application for bail is, thus, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)