

27.09.2023
Sl. No.20
akd
[ALLOWED]

C. R. M. (DB) 3741 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.09.2023 in connection with Balurghat Police Station Case No.372 of 2023 dated 09.05.2023 under Sections 498A/306/304B/34 of the Indian Penal Code. (G.R. Case No.907 of 2023)

And

In Re: ***Sajidur Islam @ Sajedur Islam***

... .. Petitioner

Mr. Biswajit Manna

... .. for the petitioner

Mr. Saswata Gopal Mukherji .. Id. Addl. Public Prosecutor
Mr. Parthapratim Das
Mrs. Manasi Roy

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 113 days. It is further submitted victim-housewife committed suicide at her parental home. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits victim-housewife was subjected to torture over demand of dowry. She was driven out of the matrimonial home. As a result, she committed suicide.
3. We have considered the materials on record. Victim-housewife committed suicide at her parental home. Allegations of torture are general and omnibus. Investigation is complete. There is no chance of abscondence of the petitioner. Balancing the nature of accusation with 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 ***Sajidur Islam @ Sajedur Islam***, 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 Chief Judicial Magistrate, Dakshin Dinajpur at Balurghat 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)