

27.09.2023
Sl. No.25
akd
[ALLOWED]

C. R. M. (DB) 3746 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.09.2023 in connection with Domjur Police Station Case No.66 of 2023 dated 28.01.2023 under Sections 498A/304B/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.460 of 2023)

And

In Re: **Sk. Saddam**

... .. Petitioner

Md. Wasim Akram

... .. for the petitioner

Mr. Saswata Gopal Mukherji .. Id. Public Prosecutor
Ms. Faria Hossain
Ms. Mamata Jana

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 242 days. It is further submitted victim-housewife had taken tranquilizers and committed suicide. Petitioner has been falsely implicated. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Victim-housewife had taken tranquilizers and committed suicide. This is recorded in the inquest report. No injuries are found on the body of the victim. Keeping mind the aforesaid facts and 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 **Sk. Saddam**, 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, Howrah 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.)