

10.10.2023
Sl. No.69
akd
[ALLOWED]

C. R. M. (DB) 3927 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.09.2023 in connection with Hirapur Police Station Case No.477 of 2022 dated 30.11.2022 under Sections 498A/304B/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.3864 of 2022)

And

In Re: ***Ajmal Khan***

... .. Petitioner

Md. Sabir Ahmed
Ms. Suman Biswas

... .. for the petitioner

Mr. Tanmay Kr. Ghosh
Mr. Asraf Mondal

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 319 days. Co-accused have been granted pre-arrest bail. 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. Co-accused have been granted pre-arrest bail. 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 ***Ajmal Khan***, 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, Paschim Bardhaman at Asansol 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.)