

13.10.2023
tkm/ct 28
sl no. 40

C.R.M. (DB) 4008 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Simlapal P.S case no. 18 of 2022 dated 5.4.2022 under sections 498A/302/304B/34 of the IPC charge sheet submitted section 307 IPC 498A/304B/34 of the IPC
and

Allowed

In Re : Nabakumar Lohar

..... petitioner

Mr. A Roy
Mr. Rhiddhiman Mukherje

..... for the petitioner

Mr. S G Mukherjee, Id PP
Ms. P P Das
Mrs. Eshita Dutta

..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. Petitioner is in custody for more than a year. Victim committed suicide. There is no possibility of trial concluding in the near future. Balancing the nature of accusation with the period of detention suffered by the petitioner we are inclined to grant bail to the petitioner.
3. Accordingly, the petitioner 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 ACJM Khatra on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
4. 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.
5. The application being CRM (DB) 4008 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)