

20.11.2023
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allowed

CRM(DB) No. 4190 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhimpur Police Station Case No. 92 of 2022 dated 17.03.2022 under Sections 498A/304B/302/120B/201/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Brindaban Ghosh petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder

....for the petitioner

Mr. Debasis Roy
Mr. Partha Pratim Das
Mr. Aniket Mitra

.... for the State

1. Learned Counsel for the petitioner submits he is in custody for over 600 days. It is also submitted petitioner is the husband of the victim lady. Co-accused are on bail. He renews his bail prayer.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. Petitioner stands more or less on the same footing with the co-accused who are on bail. There is no progress in trial since rejection of bail by this Court. Under such circumstances, we are inclined to grant bail to the petitioner.

4. Accordingly, we direct that 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 Judicial Magistrate, Nadia at

Krishnagar, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)