

01.12.2023.
35.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4254 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chanditala P.S. Case No.455 of 2022 dated 08.09.2022 under Sections 498A/304B/406/34 of the Indian Penal Code and charge sheet submitted under Sections 498A/306/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

In the matter of : **Naru Gopal Ghosh.**

.... Petitioner.

Mr. D. Banerjee,
Mr. Pratim Mukherjee.

...for the Petitioner.

Mr. P. K. Dutta, Id. A.P.P.,
Mr. Subrato Roy.

...for the State.

1. Petitioner is in custody for about a year. He contends there is slow progress in trial. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits trial is in progress.
3. We have considered the materials on record. Bail prayer of the petitioner was rejected in January, 2023. Thereafter, only one witness has been examined. Prosecution proposes to examine eleven witnesses. There is no possibility of trial concluding in the near future. Offences, even if proved, would not attract mandatory life imprisonment. Petitioners have roots in society and there is no chance of abscondence.
4. Keeping in mind the aforesaid facts, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner viz., **Naru Gopal Ghosh** 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 Additional Chief Judicial Magistrate, Serempore, Hooghly subject to condition that he 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.

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

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)