

18.12.2023.
107.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4337 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gaighata P.S. Case No.744 of 2023 dated 24.07.2023 under Sections 498A/304B/406/34 of the Indian Penal Code.

In the matter of : **Santu Sarkar**.

.... Petitioner.

Mr. S. Bhattacharyya.

...for the Petitioner.

Md. Anwar Hossain,

Ms. Baishakhi Chatterjee.

...for the State.

1. Petitioner is in custody for 147 days. Investigation is complete. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. Bail prayer was rejected earlier on the ground of investigation was in progress. Presently, investigation is complete. There is no chance of abscondence.
4. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.
5. Accordingly, viz., **Santu Sarkar** 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 Additional Chief Judicial Magistrate, Bongaon, North 24-Paraganas 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)