

18.12.2023
128
b.das
Ct.No. 28

C.R.M. (DB) 4360 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Nabagram P.S case no. 55 of 2023 dated 23.02.2023 under sections 498A/302/304B/34 of the Indian Penal Code and sections 3 /4 of the Dowry Prohibition Act.

and

Allowed

In Re : **Naim Sk @ Naim Sekh** ... petitioner

Mr. Suman Bhanja

..... for the petitioner.

Mr. Provash Bhattacharya
Ms. Sujata Das

..... for the State.

1. Heard learned Advocates for the parties.
2. Petitioner is in custody for 315 days. He contends that he has been falsely implicated in this case.
3. Learned lawyer for the State opposes the bail prayer and submits that the victim lady had hanged herself in the matrimonial home within 10 months of marriage.
4. We have considered the materials on record. Allegations of torture are general and omnibus in nature. Investigation is complete. There is no chance of abscondence.
5. Having considered the nature of allegation and period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.
6. 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, Lalbagh, Murshidabad 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.

7. In the event petitioner 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)