

12.12.2023
Item No.10
Ct. No. 5
CHC
(Allowed)

C.R.M.(DB) 4583 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bhagwangola** Police Station Case No.**407** of **2023** dated **24.08.2023** under Sections **498(A)/304B/302/34** of the Indian Penal Code, 1860 whereby charge sheet filed under Sections **498A/306/34** of the Indian Penal Code, 1860.

And

In the matter of: Golam Nobil @ Golam Nabi
..... petitioner

Mr. Soumyajit Das Mahapatra,
Mr. Ali Ahsan Alamgir,
Ms. Rabia Khatoon,
Mr. Soma Mal,
Ms. June Modak
....for the petitioner

Mr. Ranabir Roy Chowdhury,
Ms. Jonaki Saha
....for the State

Petitioner is in custody for more than 100 days. Police filed charge-sheet.

The Post Mortem Report of the victim suggests that victim consumed poison. No external injury was found on the body of the victim at the time of Post Mortem. There is a statement recorded under Section 164 of the Criminal Procedure Code where, it is suggested that, the victim and one of her in-laws

were in a relationship and that, petitioner became aware of the same whereupon petitioner rebuked the victim.

Considering the period of detention of the petitioner, the materials in the Case Diary and the fact that police filed charge-sheet, we grant bail to the petitioner.

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 Additional Chief Judicial Magistrate, Lalbagh, Murshidabad, Nadia, subject to the condition that the 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.

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 the bail of the petitioner without further reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

