

21.12.2023
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allowed

CRM(DB) No. 4679 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malipanchghara Police Station Case No. 114 of 2023 dated 24.05.2023 under Sections 498A/304B/406 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Vijay Kumar Shaw @ Bujwal @ Bijoy Kumar Bhojwal Petitioner

Mr. Subhasish Pachhal
Mr. Rameshwar Singh

....for the petitioner

Mr. Sudip Ghosh
Mr. Dipankar Mahata

.... for the State

1. Learned Counsel for the petitioner submits he is the husband of the victim lady. Due to difference in the life style at the matrimonial home she was unable to adjust. She committed suicide. Accordingly, he prays for bail.

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

3. We have considered the materials on record. Allegations against the petitioner and co-accused are similar. Co-accused are on bail. There is no chance of trial concluding in the near future. Petitioner has strong roots in society and there is no chance of abscondence. 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, Howrah, 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.)