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C.R.M. (DB) No. 136 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagardighi Police Station Case No. 194 of 2023 dated 21.05.2023 under Sections 498A/304B/34 of the Indian Penal Code and charge-sheet submitted under Sections 498A/304B/306/34 of the Indian Penal Code.

And

In Re : Palash Mal petitioner

Ms. Shabana Hasin

.....for the petitioner

Mr. Ranabir Roy Chowdhury

Ms. Sonali Bhar

.....for the State

1. Learned Counsel for the petitioner submits he is in custody for 238 days. He has been falsely implicated. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits victim lady committed suicide within one year of marriage.

3. We have considered the materials on record. Allegations are general and omnibus. Investigation is complete. Balancing the nature of accusation with the period of detention suffered by the petitioner and as there is no chance of his abscondence we are inclined to grant bail to him.

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 Additional Chief Judicial Magistrate, Jangipur, subject to condition that petitioner 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.

5. In the event 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.

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)