

22.01.2024
tkm/ct 28
sl no. 38

C.R.M. (DB) 191 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Hirapur PS case no. 477 of 2022 dated 30.11.2022 under sections 498A/304B/34 IPC and sections 3/4 of the DP Act

Allowed and
In Re : Tinku Khan @Md. Yakub Khan petitioner

Mr. A K Datta
Mr. Gopal Chakraborty for the petitioner
Mr. Pravash Bhattacharjee
Ms. Manasi Roy for the State

1. Petitioner is in custody for 13 days. He submits he is the husband of the married sister-in-law of the victim lady. He did not ordinarily reside at the matrimonial home of the victim. Husband of the victim is on regular bail. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer
3. We have considered the materials on record. Allegations against the petitioner are general and omnibus. He did not ordinarily reside at the matrimonial home of the victim. Keeping in mind these facts we are of the opinion further detention of the petitioner is not necessary and he may be granted bail.
4. 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 CJM Paschim Bardhaman 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.
5. In the event he 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.
6. The application being CRM (DB) 191 of 2024 is disposed of.

(Ajay Kumar Gupta, J.) **(Joymalya Bagchi, J.)**