

07.02.2024
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allowed

CRM(DB) No. 208 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Palashipara Police Station Case No. 392 of 2023 dated 08.12.2023 under Sections 498A/323/376/511/34 of the Indian Penal Code.

And

In Re : Ijdahan Sk. petitioner

Mr. Arnab Chatterjee
Mr. Amanul Islam
Mr. Sourav Mukherjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

....for the petitioner

Mr. Dipankar Paramanick

.... for the State

1. Learned Counsel for the petitioner submits his client is the father-in-law of the victim lady and has been falsely implicated due to a domestic quarrel. He prays for bail.

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

3. In spite of notice nobody appears for the victim.

4. We have considered the materials on record. There was a domestic quarrel between the victim and her in-laws including the petitioner and he has been implicated in the FIR. Possibility of false implication due to domestic quarrel cannot be ruled out. There is no chance of abscondence. Under such circumstances, we are inclined to grant bail to the petitioner.

5. 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, Tehatta, Nadia, 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.

6. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)