

29.01.2024
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Dd
allowed

CRM(DB) No. 239 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Nowda** Police Station Case No. **196 of 2023** dated **09.06.2023** under Sections **498A/326/307** of the Indian Penal Code corresponding to G.R. 2576 of 2023.

And
In Re : Lalbabu Sk @ Lalbaby Sk petitioner

Mr. Arnab Chatterjee,
Mr. Anisur Rahman,
Ms. Poulami Bose
....for the petitioner

Mr. Dipankar Paramanik
.... for the State

Mr. Sujoy Sarkar
... Victim lady

1. Petitioner submits that the incident occurred out of a domestic matrimonial dispute. He prays for bail.

2. Victim does not oppose the prayer for bail.

3. Learned lawyer for the State produces the case diary.

4. Keeping in mind the facts and circumstances of the case and the period of detention of 180 days, we are inclined to grant bail to him.

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 Learned Chief Judicial Magistrate, Berhampore 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.

6. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)