

01.02.2024
Sl. No.46
akd
[ALLOWED]

C. R. M. (DB) 310 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.01.2024 in connection with Taherpur Police Station Case No.453 of 2023 dated 10.09.2023 under Sections 498A/304B/34 of the Indian Penal Code. (G.R. Case No.3582 of 2023)

And

In Re: **Balaram Halder**

... .. Petitioner

Mr. Sumanta Das

... .. for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mirza Firoj Ahmed Begg

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 141 days. Co-accused have been granted pre-arrest bail. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Petitioner is the husband of the victim lady. She died due to consumption of poison. There is nothing on record to show petitioner had administered poison to her. Allegations of torture are general and omnibus. Co-accused have been granted pre-arrest bail. Investigation is complete. There is no chance of abscondence of the petitioner. Under such circumstances and in view of the period of detention suffered by him, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Balaram Halder**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief

Judicial Magistrate, Ranaghat, Nadia subject to condition that the said 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 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 for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)