

27.03.2024.
24.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 776 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chanditala P.S. Case No.455 of 2022 dated 08.09.2022 under Sections 498A/304B/406/34 of the Indian Penal Code read with Section 4 of Dowry Prohibition Act.

In the matter of : **Abhijit Ghosh.**

.... Petitioner.

Ms. Minoti Gomes,
Mr. Pratip Chatterjee.

...for the Petitioner.

Mr. Mainak Gupta.

...for the State.

1. Petitioner is in custody for more than a year. There is slow progress in trial. Co-accused have been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He contends petitioners is the husband of the victim lady.
3. We have considered the materials on record. Petitioner is in custody for more than a year. There is slow progress in trial and only one witness has been examined till date. Prosecution proposes to examine 11 witnesses. Under such circumstances, co-accused have been enlarged on bail.
4. In view of the aforesaid and as there is no chance of early conclusion of trial, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner viz., **Abhijit Ghosh** 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, Serampore, Hooghly subject to condition that he 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 the 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. This application for bail is, thus, disposed of.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)