

7.
02-07-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 838 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur Police Station Case No.216 of 2019 dated 09-04-2019 under Sections 498A/302 of the Indian Penal Code.

- A n d -

In the matter of : Sukumar Sadhukhan

.... Petitioner.

Ms. Minoti Gomes

... For the Petitioner.

Mr. Jaydeep Biswas

... For the State.

The petitioner says that he has been falsely implicated in this case. He is in custody for 5 years 2 months 19 days. It is anybody's guess when the trial would conclude. The two vital witnesses being the victim's two sons have already deposed before the learned trial Court. They were declared hostile on the prayer of the prosecution.

Learned advocate for the State opposes the prayer for bail in view of the gravity of the charge. He files a report signed by the Investigating Officer as directed by the earlier order of this Court. It appears that 12 out of 17 witnesses have been examined.

However, keeping in mind the very lengthy detention of the petitioner and the fact that the two vital witnesses have turned hostile, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner, namely, **Sukumar Sadhukhan**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional District Judge, Fast Track Court, Ranaghat, Nadia. The 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. The petitioner shall remain within the jurisdiction of the local police station and shall report to the Officer-in-Charge of the said police station once in every fortnight until further orders.

In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail being CRM (DB) 838 of 2024 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)