

19.03.2024
tkm/ct 28
sl no. 60

C.R.M. (DB) 856 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Sagar P.S case no. 412 of 2021 dated 24.12.2021 under sections 498A/304B/302/34 IPC and sections 3/4 of the DP Act

Allowed In Re : Sribindu Mondal and ... petitioner

Mr. S Ganguli
Mr. Supriyo Shasmal

..... for the petitioner

Mr. P P Das
Mr. Subrato Roy

..... for the State

1. Petitioner is in custody for 810 days. He submits there is slow progress in trial. There is no direct evidence that he had administered poison to the victim lady. He renews his bail prayer.

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

3. We have considered the materials on record. Uncle of the victim lady PW5 deposed she was a short tampered lady. Possibility of self-consumption of poison cannot be ruled out. Petitioner is in custody for a considerable period of time. There is no chance of abscondence.

4. Under such circumstances we are inclined to grant bail to the petitioner.

5. Accordingly, the petitioner 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 ACJM Kakdwip on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

6. 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.

7. The application being CRM (DB) 856 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)