

23.04.2024
tkm/ct 28
sl no. 55

C.R.M. (DB) 1266 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Taherpur P.S case no. 91 of 2024 dated 21.2.2024 under sections 498A/326/307/506 IPC
and

Allowed In Re : Kansha Mallick @Kangsha Mallick petitioner

Ms. M Gomes
..... for the petitioner
Mr. Koushik Kundu
Mr. Aritra bhattacharya
..... for the State

1. Petitioner is in custody or 61 days. He submits there was a dispute as his wife had withdrawn from the matrimonial home. He went to negotiate with his wife. His brother-in-law assaulted him. Subsequently, he has been falsely implicated. He prays for bail.
2. Learned lawyer for the State submits petitioner had assaulted with a shirt cutting weapon.
3. We have considered the materials on record. Petitioner had gone to his matrimonial home. A fight ensued and both parties suffered injuries. There is no chance of abscondence.
4. In view of the aforesaid circumstances, we are inclined to enlarge the petitioner on bail.
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 Ranaghat Nadia 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 do so or resorts to dilatory tactics and delay the trial, trial court shall be at liberty to cancel his bail without reference to this court.
7. The application being CRM (DB) 1266 of 2024 is disposed of.

(Gaurang Kanth, J.) **(Joymalya Bagchi, J.)**