

10.06.2024
Item no. 25.
Court No.28.
AB
(Allowed)

CRM (DB) 1534 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Chapra Police Station Case No.19 of 2024 Dated 13.1.2024 under Sections 498A/307 of the Indian Penal Code

And

In the matter of : Sribas Mondal

.....Petitioner.

Mr. Prabir Majumdar,
Mr. S. Majumdarfor the Petitioner.

Mr. Avishek Sinha,
Mr. Nazmut Touhidfor the State.

The petitioner is one of the accused persons and is the father-in-law of the victim lady. The allegation is under Section 498A read with Section 307 IPC.

The petitioner says that he has been falsely implicated in this case. He has been in custody for 150 days. Investigation is complete. There can be no further reason for detaining him in custody. He is willing to comply with any term and condition that this Court may impose for granting bail.

Learned lawyer for the State strongly opposes the prayer for bail. He draws our attention to the medical report and says that the petitioner inflicted grievous injury on the victim lady, who suffered fractures of various bones. The victim lady

became traumatized. There is serious incriminating material against the petitioner. The prayer for bail should not be granted.

We have considered the rival contentions of the parties. We have seen the statements of witnesses as are found in the case diary. Investigation is complete. Charge sheet has been filed. We do not see how any useful purpose will be served by continuing to detain the petitioner in custody. Accordingly, we are inclined to allow the present application for bail, but on stringent conditions.

Accordingly, we direct that the petitioner, namely Sribas Mondal 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 Chief Judicial Magistrate, Nadia at Krishnagar, and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. In the event the victim lady is still residing in the matrimonial home, the petitioner shall not enter such premises.

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 and/or commit any cognizable offence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial

court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)