

148.
20-05-2024
(ct. no.06)
debajyoti
(allowed)

CRM (DB) 1552 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tehatta Police Station Case No.153 of 2024 dated 04-03-2024 under Sections 498(A)/302/34 of the Indian Penal Code, 1860.

- A n d -

In the matter of : Jinnat Sekh

.... Petitioner.

Mr. Amanul Islam,
Mr. Sourav Mukherjee

... For the Petitioner.

Ms. Zaren N. Khan,
Mr. Atanu Ghosh

... For the State.

The petitioner is the father-in-law of the victim lady. The charge is under Sections 498A/302/34 of the Indian Penal Code.

The petitioner says that he has no role to play in the alleged incident. He has been falsely implicated. He is in custody for 76 days. He is 60 years of age. He is willing to cooperate with the Investigating Officer to the fullest extent and will comply with any condition that the Court may impose on him for granting bail.

The State strongly opposes the prayer for bail. Learned advocate says that charge sheet is yet to be submitted. Investigation is not complete. Continued custodial detention of the petitioner may be necessary.

We have perused the material in the Case Diary including the statements of witnesses recorded under Section 161 of the Code of Criminal Procedure. We have also seen the post mortem report.

The allegations made in the statements of witnesses are omnibus in nature. On an overall consideration of the

material on record and also considering that the mother-in-law of the victim lady has been granted anticipatory bail by this Court, we are of the view that further custodial detention of the petitioner is not necessary so long as he cooperates with the Investigating Officer.

Accordingly, we direct that the petitioner, namely, **Jinnat Sekh**, 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 Chief Judicial Magistrate, Tehatta, 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 every fortnight until further orders.

In the event the petitioner fails to appear before the trial Court without justifiable cause, 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) 1552 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.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)