

12.06.2024
Item no.24.
Court No.28.
S. De
(Allowed)

CRM (DB) No. 1698 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 22.05.2024 in connection with Raghunathganj Police Station Case No. 133 of 2024 dated 11.02.2024 under Sections 498A/304B/34 of the Indian Penal Code.

And

In the matter of : Nur Hossain Biswas.

.....Petitioner.

] Ms. Shabana Hasin,
Ms. Samima Akter Banu,for the Petitioner.

Mr. S.S. Imam,
Mr. Karan Bapuli,for the State.

The petitioner is the husband of the deceased lady. The charge is under Sections 498A/304B/306/34 of the Indian Penal Code.

The allegation is that the petitioner and his family members tortured the victim lady being the petitioner's wife who died as a result. Then she was hanged from the fan.

The petitioner says that he has no role to play in the alleged incident. His wife committed suicide after an usual quarrel with him as happens between a husband and wife. The quarrel was with regard to a gold chain. The prosecution case is out and out false.

Learned advocate for the State draws our attention to the statement of the boy child, about four and half years old

recorded under Section 164 Cr.P.C. We have also seen the post mortem report.

On an overall consideration of the material on record and the possible extent of complicity of the petitioner in the alleged offence and keeping in view that investigation has been completed and charge-sheet has been submitted, we see no reason to further detain the petitioner in custody.

Accordingly, we direct that the petitioner namely, **Nur Hossain Biswas** 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 Additional Chief Judicial Magistrate, Jangipur, Murshidabad and on further conditions that he shall remain within the jurisdiction of the concerned police station.

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.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)