

20.06.2024
Item no.46.
Court No.28.
S. De
(Allowed)

CRM (DB) No. 1775 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 10.06.2024 in connection with Jiagan Police Station Case No. 111 of 2024 dated 07.04.2024 under Sections 498A/406/304B/302/34 of the Indian Penal Code read with Section 3/4 of the Dowry Prohibition Act.

And

In the matter of : Meskatul Islam.

.....Petitioner.

Mr. Navanil De,
Mr. Srinjan Ghosh,

.....for the Petitioner.

Mr. Arnab Chatterjee,
Mr. Nazmut Touhid,

.....for the State.

The petitioner is the husband of the victim lady. The main charge is under Sections 498A/406/304B/302 of the Indian Penal Code. The petitioner says that he is in custody for 74 days. All other family members have been granted anticipatory bail by this Court. He has no role to play in the alleged offence. He is ready, willing and prepared to co-operate with the Investigating Officer to the fullest extent.

Learned advocate for the State opposes the prayer and draws our attention to the material in the case diary.

We find that the allegations made in the statement of witnesses are all general and omnibus in nature. There is nothing specific against this petitioner. However, investigation is

yet to be completed. So long as the petitioner co-operates with the Investigating Officer, we do not think his custodial detention is necessary any further.

Accordingly, we direct that the petitioner namely **Meskatul Islam** 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, Lalbagh, Murshidabad and on further conditions that he shall remain within the jurisdiction of the concerned police station. And on further conditions that he shall not leave the country without leave of the learned Trial Court and on the day of release, he will surrender his Pass Port before the learned Trial Court.

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.)