

14.08.2024
Item no. 32.
Court No.28.
AB
(Allowed)

CRM (DB) 2101 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Matia Police Station Case No.442 of 2023 Dated 14.10.2023 under Sections 498A/328/307/34 of the Indian Penal Code

And

In the matter of : Tarikul Mondal

.....Petitioner.

Mr. Kallol Kumar Basu,
Md. J. U. Firdous

.....for the Petitioner.

Ms. Baishali Basu,
Ms. Debjani Dasgupta

.....for the State.

Dictated by Partha Sarathi Sen, J.

1. On perusal of the entire materials as placed before this Court, it appears that the instant case is the outcome of a matrimonial dispute. Admittedly, there are some allegations as against the present petitioner. Charge sheet has been submitted. It is not a fit case for custodial trial. Hence, we are inclined to grant bail to the petitioner.
2. Accordingly, we direct that the petitioner, namely, **Tarikul 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 Additional Chief Judicial Magistrate, Basirhat, North 24 Parganas,

and on further conditions that the present accused petitioner shall appear before the Trial Court on each date of substantive hearing subject to the provisions of Section 317 Cr.P.C. until further orders and he shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.

3. 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.
4. The application for bail is, accordingly, allowed.
5. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Partha Sarathi Sen, J.)