

07.11.2024
tkm/ct 28
sl no. 58

C.R.M. (DB) 2679 of 2024

In Re : An application for bail under section 483 of the BNSS 2023 in connection with Jagatballavpur P.S case no. 73 of 2024 dated 15.4.2024 under section 498A/302/34 IPC read with sections 3/4 of the DP Act

And

Allowed In Re : Sk. Morselim Ali ... petitioner

Mr. S Basu Roy Chowdhuri
..... for the petitioner
Mr. Debasish Roy, Id PP
Mr. Madhumita Basak
..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. Opinion of the doctor with regard to cause of death is placed on record. Report reads as follows :
“the injuries noted in the post mortem report of the deceased Rukhsana Mallick was unlikely to cause her death or insufficient in course of nature to cause her death.”
3. In view of the aforesaid opinion we hold further detention of the petitioner is not necessary and he may be released on bail.
4. Accordingly, the petitioner 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 CJM Howrah on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application being CRM (DB) 2679 of 2024 is disposed of.

(Gaurang Kanth, J.) **(Joymalya Bagchi, J.)**