

12.12.2024
Sr. No. 44
Ct. No. 28.
AB
(Allowed)

C.R.M. (DB) 4002 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Habibpur Police Station Case No.153 of 2024 Dated 05.06.2024 under Section 498A/304B/34 of the Indian Penal Code read with Section 6 of the POCSO Act and Sections 9 /10 of the Child Marriage Act

In the matter of : **XXXXXX (husband of the petitioner)**

....Petitioner.

Mr. Sagar Saha,
Ms. Nayana MukhopadhyayFor the Petitioner.

Mr. Suman De,
Mr. Nirupam DhaliFor the State.

1. Heard learned Advocates for the parties.
2. We have considered the materials on record. Petitioner is in custody for 190 days. He submits that there was a quarrel over domestic issues. Out of impulse wife committed suicide. Investigation is complete. There is no possibility of abscondence. Hence, we are inclined to enlarge the petitioner on bail.
3. Accordingly, the petitioner, namely, **XXXX (husband of the petitioner)** 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 Judge, Special Court under the POCSO Act at Malda, subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with

evidence in any manner whatsoever or commit similar offences in future.

4. In the event petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
5. This application for bail is, thus, disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)