

CRM (DB) 338 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Ranitala Police Station Case No.770 of 2024 dated 06-10-2024 under Sections 85/103(1)/61(2) of the Bharatiya Nyaya Sanhita read with Section 3 of the Dowry Prohibition Act.

- A n d -

In the matter of : Rashidul Sk. @ Rasidul Sk.

.... Petitioner.

Mr. Navanil De,
Mr. Rajeshwar Chakraborty,
Mr. Shoumilya Mazumder

... For the Petitioner.

Mr. Saibal Bapuli,
Ms. Trina Mitra

... For the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he has been falsely implicated. He has no role to play in the alleged murder of his wife. He is in custody for 163 days. Investigation is complete. Charge sheet has been submitted. There is no justification for his further custodial detention.

2. Learned advocate for the State, while opposing the prayer for bail, draws our attention to the statement of the child girl of the petitioner and the victim, recorded under Section 164 of the Code of Criminal Procedure. Although she appears to be implicating the petitioner, the allegation of murder is *prima facie* not supported by the Post Mortem

Report. The report says that the death was due to the effects of hanging ante mortem in nature.

3. In view of such Post Mortem Report and considering that investigation is complete, we are of the opinion that further custodial detention of the petitioner is not necessary.

4. Accordingly, we direct that the petitioner, namely, **Rashidul Sk. @ Rasidul Sk.**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Lalbagh. The petitioner shall appear before the learned trial Court on every date of hearing and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and/or commit any cognizable offence in any manner whatsoever. The petitioner shall remain within the jurisdiction of Lalbagh Police Station and shall report to the Officer-in-Charge/Inspector-in-Charge of Lalbagh Police Station once in a week, until further orders. The petitioner shall, through his learned advocate, inform the learned trial Court, Lalbagh Police Station and Ranitala Police Station his current local address at Lalbagh where he shall be residing while on bail.

5. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

6. The application for bail is, thus, **allowed**.

7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)