

08.04.2025

71

jb.

jdt.

Allowed

C.R.M. (DB) 712 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Hariharpara Police Station Case No. 657 of 2024 dated 18.09.2024 under Sections 498A/302/304B/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In Re : **Juyel Hossain @ Jewel Hossain**

... Petitioner.

Mr. Tapodip Gupta

... For the Petitioner.

Ms. Kanchan Roy

... For the State.

The petitioner is the husband of the victim.

He is in custody for more than six months. Charge-sheet has been submitted. The petitioner prays for bail.

Opposing the prayer for bail, learned counsel for the State refers to the statements of the witnesses under Section 161 of the Code of Criminal Procedure and submits that the petitioner is the principal accused and is responsible for the death of the victim.

I have considered the material on record. FIR has been lodged at a delay of 9 months. Charge-sheet has been submitted. Allegation against the petitioner is general and omnibus and co-accused are on bail.

Considering the material on record as well as the extent of complicity of the petitioner, this Court is inclined to hold that further detention of the petitioner is not required.

Accordingly, the prayer for bail is allowed.

The petitioner namely Juyel Hossain @ Jewel Hossain shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees

Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Berhampore, Murshidabad subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and he shall not tamper with the evidence or intimidate the witnesses in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date fixed for hearing without any justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is disposed of.

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

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)