

20.02.2025
Item No.88
Court No.26
S.D.
(Bail granted)

CRM (DB) 4331 of 2024

In re: An Application for **Bail** under Section 439 of the Code of Criminal Procedure, 1973/section **483** of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Bharatpur** Police Station Case No. **79** of **2024** dated **21.03.2024** under Sections **498A/302/120B/34** of the Indian Penal Code, 1860.

-And-

In the matter of : Utpal Ghosh

... .. Petitioner

Mr. Jisan Iqubal Hossain

... .. For the Petitioner

Mr. Suman De

Ms. Pallavi Priyadarshee

... ..For the State

Mr. Jannat Ul Firdus

Mr. Rajsekhar Hota

..for the defacto complainant

Apparently, a dispute between the husband and wife erupted into physical assault between them using sharp cutting weapons by both of them against each other.

Petitioner is the husband before us who suffered penetrative abdominal injury as also cut injury on the throat. Apparently, the same was inflicted by the victim.

Victim died out of the cut injuries suffered by her at the behest of the petitioner.

Petitioner is in custody for 11 months. The police filed charge sheet.

We do not feel the need to keep the petitioner in custody till the conclusion of the trial.

In such circumstances, we grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a 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 Additional Chief Judicial Magistrate, Kandi, Murshidabad**, subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without further reference to this Court.

The prayer for bail of the petitioner is **allowed**.

C.R.M.(DB) 4331 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)