

28.08.19

Sl. No.13

Ct. No.1

akd

[ALLOWED]

CALCUTTA HIGH COURT

In the Circuit Bench at Jalpaiguri

C. R. M. 788 of 2019

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.08.2019 in connection with Mal Police Station Case No. 210 of 2019 dated 12.06.2019 under Sections 498A/306 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.2118 of 2019)

And

In Re: ***Dilip Biswas***

... .. Petitioner

Mr. Sudip Guha .. Advocate

... .. for the petitioner

Mr. Saikat Chatterjee .. Advocate

Mr. Biswarup Roy .. Advocate

... .. for the State

The petitioner is seeking bail in connection with a case relating to offences punishable under Sections 498A/306 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

It is submitted on behalf of the petitioner that he is in custody for about 75 days.

Learned Counsel for the State produces the case diary and opposes the prayer for bail.

Having considered the materials on record and bearing in mind the nature of allegations and in view of the period of detention suffered by the petitioner, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Dilip Biswas***, 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, Jalpaiguri subject to condition that the said petitioner 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.

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.

The application for bail, thus, stands **allowed**.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)