

08 03.09.2020
rkd Ct. No.16
(Allowed)

**C.R.M. 5380 of 2020
(CRAN 1 of 2020 (old CRAN 3704 of 2020)
(Through Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Krishnaganj** P.S. Case No. **58 of 2020** dated **10/03/2020** under Sections **498A/304B/34** of the Indian Penal Code.

And

In the matter of: Babusona Sardar @ Bittu

....petitioner.

Mr. S. B. R. Chowdhury

...for the petitioner.

Mr. B. K. Roy,
Ms. R. Datta

...for the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Accordingly, CRAN 3704 of 2020 is disposed of.

Petitioner is in custody for 172 days and it is further submitted that he renews his prayer for bail. He further submits that there is little possibility of the trial concluding in the near future.

Learned counsel appearing on behalf of the State opposes the prayer for bail and submits that victim suffered unnatural death due to dowry demand within nine months of marriage.

We have considered the materials on record. P.M. report shows that the victim died due to hanging which is suicidal in nature. There is little possibility of the trial concluding in the near future due to prevailing pandemic. In view of the aforesaid

facts, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner are directed to 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 Chief Judicial Magistra, Nadia at Krishnhanagar subject to the condition that during bail he shall appear before the learned trial court regularly till disposal of the trial and he shall not intimidate witnesses 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 any further reference to this Court.

The application for bail is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)