

20.10.2020
suppl. 5
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CRM 7048 of 2020
CRAN 1 of 2020
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar P.S. Case No.1238 of 2019 dated 09.12.2019 under Sections 498A/304B/34 of the Indian Penal Code.

And

In the matter of: Dina Mandal

....Petitioner.

Mr. A. K. Biswas

...for the Petitioner.

Mr. Bidyut Kr. Roy
Ms. Rita Datta

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within a month of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The application being IA No. CRAN/1/2020 is disposed of.

Having considered the materials on record and bearing in mind the facts and circumstances of the case and the extent of complicity of the petitioner, that is the in-laws of the victim in the alleged crime and the protracted period of detention suffered by the petitioner, that is, 40 days, we are inclined to 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 CJM, Malda subject to condition that the

petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fail to appear before the trial court without justifiable cause, the 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, accordingly, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Md. Nizamuddin, J.)

(Joymalya Bagchi, J.)