

28.09.2020
SL No.14
pk

CRM 7198 of 2020

(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chitpur Police Station Case No. 108 of 2020 dated 22.05.2020 under Sections 498A/506/34 of the Indian Penal Code and adding Section 304B of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In the matter of: **Samar Saha**

....Petitioner.

Mr. M. Chatterjee

...for the Petitioner.

Mr. Aniket Mitra

...for the State.

Mr. Avik Ghatak,
Mr. Amit Ranjan Pati

... for the de facto complainant.

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.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the husband of the deceased victim. Marriage took place six and half years ago. According to him, the husband tried to rescue the victim girl after she had set herself on fire and took to hospital.

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

Learned counsel for the de facto complainant submits that there are several other statements given by neighbours except for the purported dying declaration.

Considering the dying declaration and the materials on record and the length of custody already suffered by the petitioner, 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/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the C.J.M., South 24 Parganas at Sealdah and subject to the conditions enshrined under Section 437(3) of the Cr. P C.

The learned trial court is requested to proceed with the matter as expeditiously as possible.

CRM 7198 of 2020 is disposed of.

(Soumen Sen, J.)

(Jay Sengupta, J.)