

21-10-2020
k.b/b.r.
Item no.16
Bail allowed
Crt. No.12

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 7634 of 2020
Gouranga Mondal

-vs-

The State of West Bengal

With

IA No.CRAN 1 of 2020
(Via video conference)

In Re: An application for bail under Section 439 Cr.P.C in connection with Dum Dum GR PS Case No. 16 of 2020 dated 11.05.2020 under Sections 498A/304B of the IPC, 1860.

Mr. Prantick Ghosh ...for the petitioner.

Ms. Sukanya Bhattacharya
Md. Kutubuddin. ... for the State

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within one month of resumption of normal functioning of the court. The petition is taken up through video-conference on the basis of such undertaking. Accordingly, CRAN No.1 of 2020 is disposed of.

The petitioner is the brother-in-law of the deceased who unfortunately had met with death after receiving burn injury. It is submitted on behalf of the petitioner that the husband of the petitioner is in custody. He is the principal offender. The brother-in-law had already released on bail. The petitioner is the brother-in-law stands on the same footing with the mother-in-law. Therefore, he should be released on bail.

Learned P.P.-in-Charge, on the other hand draws our attention to the dying declaration of the victim recorded by the medical officer. It is submitted by learned P.P.-in-Charge that the deceased took the name of the present petitioner and in her dying declaration has perpetrated offence and at this stage he should be released on bail.

We have perused the said dying declaration carefully. The victim

not only stated the name of the present petitioner but also her mother in law who allegedly used to treat her cruelty. Since the mother-in-law has already been released on bail, the present petitioner is also entitled to be enlarged on bail.

The petitioner shall be enlarged on bail upon furnishing a bond of Rs.10,000/-(Rs. Ten thousand only) with two sureties of like amount to the satisfaction of the learned Additional Chief Judicial Magistrate, Sealdah on further condition to attend the trial of the case regularly failing which the order of bail shall be cancelled without further reference to this Court.

Accordingly, the application for bail, being CRM No. 7634 of 2020 is disposed of.

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

[Bibek Chaudhuri, J.]

[Subrata Talukdar, J.]