

21.10.2020
Court No.03
Item No. 51
Krishnendu
Bail Granted

C.R.M. 8372 of 2020
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Sagar P.S. Case No. 170 of 2017 dated 21.09.2017 under sections 498A/302/506/34 of the Indian Penal Code and read with sections 3 and 4 of the Dowry Prohibition Act. (Sessions Case No. 01(04) of 2018 and Sessions Trial No. 110 (05) of 2018).

And

In Re : **Rabin Maity**

.....Petitioner

Mr. Anjan Bhattacharya
Mr. Partha Sarathi Mondal

....For the Petitioner

Mr. Arijit Ganguly
Mr. S.K. Dan

.....For the State

The petitioner is in custody for more than three years. It is submitted that there is no direct evidence that the petitioner had set the victim housewife on fire.

Learned lawyer for the State submits that the victim housewife suffered burn injuries within three months of the marriage. Trial has commenced.

We have considered the materials on record. Although the victim housewife suffered burn injuries within three months of marriage, whether the act was homicidal or not has to be assessed in the course of trial. Keeping in mind the aforesaid facts and circumstances and the period of detention suffered by the petitioner, we are inclined in granting bail to the petitioner.

Accordingly, 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 learned Additional Chief Judicial Magistrate, Kakdwip, South 24-Parganas subject to the condition that the petitioner shall appear before the Trial Court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any 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, being CRM No. 8372 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.

(Abhijit Gangopadhyay, J)

(Joymalya Bagchi, J)