

25.11.2020

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Sws M/G.S.Das
Ct. No.11

CRM 8537 of 2020

(Via Video Conference)

In Re : An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ramnagar Police Station Case No. 224 of 2020 dated September 13, 2020 under Section 498A/304(B)/34 of the Indian Penal Code, 1860.

And

In the matter of : **Laksman Giri & Ors.**

..... Petitioners

Mr. Sk. Sahajahan Ali

.... for the Petitioners

Mr. Saswata Gopal Mukherjee

Mr. Partha Pratim Das

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

Learned Advocate for the petitioners submits that the present petitioners are the parent-in-law and the brother-in-law of the deceased victim. Learned Advocate further submits that the case was initiated on the basis of an application under Section 156(3) of the Code of Criminal Procedure and the same was started after about three months.

Mr. Das, Learned Advocate for the State opposes the prayer for bail and submits that there are statements of neighbours and also the

facts that being unable to bear the continuous torture the victim deceased committed suicide by hanging.

Learned Advocate further adds that the evidence so collected would reveal the demand for dowry.

We have taken into account the materials on record and the fact that there was some delay in registration of the FIR and having regard to the locus of the present petitioners, the parent-in-law and the brother-in-law, and the fact that they are in custody since September 16, 2020, we are of the opinion that further detention of the petitioners is not warranted in the background of the case.

Accordingly the prayer for bail of the petitioners is **Allowed**.

Accordingly, we direct, that the petitioners (1. Laksman Giri, 2. Kabita Giri @ Gurubari 3. Nandan Giri @ Napa) shall be released on bail upon furnishing bond of Rs.10,000/- (rupees ten thousand only) each, with like amount each one of whom must be local to the satisfaction of the ACJM, Contai on condition that the petitioners shall not tamper with the evidence or intimidate the witnesses and on further condition that the petitioners shall cooperate with the Investigating Officer and would meet him as and when called for.

With these observations, CRM 8537 of 2020 is disposed of.

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

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

(Subrata Talukdar, J.)

