

November 12, 2020.
sd/rc
Item No.25/DL
Ct. No.08
Bail Granted

C.R.M. No. 9084 of 2020

(Via Video Conference)

In Re: An application for bail under **Section 439 CrPC** filed on 03.11.2020 in connection with English Bazar Police Station Case No.591 of 2020 dated 20.07.2020 under Sections 498A/304B/302/34 of the IPC.

And

In the matter of: Jayanti Ghosh & Anr. ...Petitioner.

Mr. Mrityunjoy Chatterjee
Mr. Bhaskar Chatterjee ...for the petitioner.

Mr. P.K.Dutta, Ld. APP
Mr. Santanu Deb Roy ...for the State.

Learned advocate for the petitioner is granted liberty to amend the cause title.

Learned advocate appearing on behalf of the petitioner submits that the petitioner no. 1 is the mother-in-law and the petitioner no. 2 is the brother-in-law of the victim and the deceased. He further submits that the petitioner no. 1 is in custody for 110 days and the petitioner no. 2 is in custody for 60 days.

Learned advocate appearing on behalf of the petitioner further submits that as the charge sheet has already been

submitted, further detention of the petitioners are unwarranted.

Learned advocate appearing on behalf of the State opposes the prayer for bail and draws the attention of the Court to the statement of the witnesses as well as the statement under Section 164 of the CrPC of the father of the deceased.

We have considered the Case Diary as well as the other materials on record and having regard to the period of detention of the present petitioners and charge sheet has already been submitted, we are of the opinion that further custodial detention of the petitioners are unwarranted. Accordingly the prayers for bail of the petitioners are allowed.

The petitioners shall furnish a bond of Rs.10000/- (Rupees ten thousand only) each with two sureties of like amount; one of whom must be local to the satisfaction of the learned Chief Judicial Magistrate, Malda on condition that they shall not tamper with the evidence and impede the trial. The petitioners shall make available as and when required by the Investigating Officer of the case. In case, the petitioners do not appear before the learned Trial Court on the date fixed and create obstruction in the progress of the trial, the learned Trial Court will be at liberty to cancel the bail without further reference to this Court.

With the aforesaid observations and directions, CRM
No. 9084 of 2020 is allowed.

[Tirthankar Ghosh, J]

[Shivakant Prasad, J]