

12.11.2020  
Item no. 40  
Ct.8  
KAUSHIK/CHC

**Allowed**

**C.R.M. No.9110 of 2020**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Patashpur Police Station Case No. 269 of 2020 dated 15.07.2020 under Sections 498A/304B/34 of the Indian Penal Code.

And

In the matter of:-

Smt. Kalpana Chandra & anr.

... Petitioners

Mr. Amitabha Karmakar

.. for the petitioners

Mr. Arijit Ganguly,  
Mr. Sanjib Kumar Dan

..for the State

Learned advocate for the petitioners submits that the petitioner no.1 is the mother-in-law and petitioner no.2 is the husband of the sister-in-law of the victim of the deceased..

Learned advocate further submits that the petitioner no.1 is in custody for 119 days and petitioner no.2 is in custody for 53 days.

He further adds that charge sheet has already been submitted. Further detention of the petitioners are unwarranted.

Mr. Ganguly, learned advocate appearing for the State draws the attention of this Court to the statements of the neighbours

and submits that there was torture being inflicted by the inmates of the matrimonial home which implicates the present petitioners.

We have taken into account the materials on record including the Case Dairy and on perusal of the same we are of the opinion that *prima facie*, the petitioners' case for their release on bail has been made out. Accordingly, prayer for bail of the petitioners are allowed.

The petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned A.C.J.M, Contai and on condition that they shall not tamper with evidence and/or intimidate the witnesses.

The petitioners shall not cause any impediment to the trial and the learned trial court feel that the petitioner is evading the process of the court the learned trial court will be at liberty to cancel the bail without further reference to this Court.

With these observations, CRM 9110 of 2020 is disposed of.

Learned appropriate Trial Court as well as all concerned authorities shall act in terms of the copy of the order downloaded from the official website of this Court.

**(Tirthankar Ghosh, J.)**

**(Shivakant Prasad, J.)**

