

25.11.2020

(9) KC
Allowed

C.R.M. 9178 of 2020

(Via Video Conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No. 24 of 2020 dated 06.03.2020 under Sections 498A/306/34 of the Indian Penal Code.

In the Matter of : Bapi Das and Anr.

.... petitioners.

Mr. Mazhar Hossain Chowdhury.....For the petitioners.

Mr. Partha Pratim Das,

Ms. Manisha Roy.....For the State.

The advocate-on-record for the petitioners undertakes to affirm and properly stamp the petition as per the rules within forty eight hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

This is a case of alleged suicide of a woman by pouring kerosene oil over her body and setting it on fire. The incident occurred on 3rd March, 2020.

The principal charge is under Section 306 of the Indian Penal Code. The charge-sheet was submitted on 5th June, 2020.

The applicants are the husband and father-in-law of the deceased. Other co-accused being relatives of the husband of

the deceased were granted bail by this court on 7th August, 2020.

What is most important is that learned advocate for the State submits that according to the dying declaration of the victim only the mother-in-law was implicated and not the petitioners.

Considering all these factors we allow this application for bail.

The petitioners will be released on bail upon furnishing security of Rs.10,000/- (Rupees Ten Thousand) each together with personal release bond of equivalent value each to the satisfaction of the appropriate court in Malda. The petitioners must, however, attend on every date fixed for trial and in the event of failing to do so, the trial court shall be at liberty to cancel the bail of the petitioners without any reference to this Court.

CRM 9178 of 2020 is disposed of.

(I.P. MUKERJI, J.)

(MD. NIZAMUDDIN, J.)

