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CRM 10135 of 2020
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Marishda P.S. Case No.168 of 2020 dated 25.08.2020 under Sections 498A/304B of the Indian Penal Code.

And

In the matter of: Birendra Nath Giri & Anr.

....Petitioners.

Mr. Arindam Jana
Mr. S. Das

...for the Petitioner.

Mr. S.G. Mukherjee, Ld. PP.
Mr. P.P. Das
Ms. Manasi Roy

...for the State.

It is submitted on behalf of the petitioners that they are the in-laws of the victim housewife. They are in custody for 42 days. Co-accused, sister-in-law has been granted pre-arrest bail by a co-ordinate bench of this Court while the husband of the deceased housewife is on regular bail.

Learned lawyer for the State opposes the prayer for bail.

Having considered the materials on record and in view of the extent of complicity of the petitioner in the alleged crime and as the allegations against the petitioners are general and omnibus in nature and co-accuseds are on the bail/anticipatory bail, we are of the opinion that further detention of the petitioners is not necessary and they may be granted bail.

Accordingly we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) with

two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ACJM, Contai, Purba Medinipur subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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 is, accordingly, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)