

22.12.2020
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allowed

**CRM 10635 of 2020
(via video conferencing)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Patashpur Police Station Case No. 328 of 2020 dated 25.08.2020 under Sections 498A/304B/313/34 of the Indian Penal Code.

And

In Re : Taraknath Barman & Ors. petitioners

Mr. Arup Kumar Bhowmick
.....for the petitioners

Mr. B. Panda
Mr. P. Saha
....for the State

Learned Counsel appearing for the petitioners submits that they are in custody for 115 days. It is also submitted that investigation is complete.

Learned Counsel appearing for the State opposes the prayer for bail and submits that petitioners tortured the victim housewife. Unable to bear such torture she had committed suicide.

We have considered the statements of the witnesses. Allegation of miscarriage is not supported by contemporaneous medical documents.

In view of the facts and circumstances of the case including the period of detention suffered by the petitioners, we are inclined in granting bail to them.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the

satisfaction of the learned Additional Chief Judicial Magistrate, Contai, Purba Medinipur, subject to the condition that petitioners 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 petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)