

15.01.2021
Court No.28
rpan / 26

C.R.M. 313 of 2021
(Via Video Conference)

In Re : Joydeb Bag & Others

.....Petitioners.

Mr. Uday Sankar Chatterjee,
Mr. Suman Sankar Chatterjee,
Mr. Santanu Maji,
Ms. Snigdha Saha

....For the Petitioners.

Mr. Binay Panda,
Mr. Subham Bhakat

....For the State.

The application for bail under section 439 of the Code of Criminal Procedure in connection with Katwa P.S. Case No. 524 of 2019 dated 22.10.2019 under sections 498A/304B/302/120B of the Indian Penal Code has been filed by the petitioners.

Mr. Chattopadhyay, learned advocate appearing for the petitioners submits that the petitioner no.1 is the father-in-law, the petitioner no.2 is the brother-in-law and the petitioner no.3 is the mother-in-law of the deceased. The petitioners are in custody for 451 days. The marriage of the deceased was solemnized four years ago. There are no incriminating materials against the petitioners and they have been falsely implicated. Upon completion of investigation, charge sheet has also been filed and as such, there is no necessity for further detention of the petitioners.

The learned advocate appearing for the State opposes the petitioners' prayer for bail and submits that there are

incriminating materials on record against the petitioners. The husband of the deceased is still absconding.

Having heard the learned advocates and upon considering the materials on record, the 164 statement and the post-mortem report, we are not inclined to grant bail in favour of the petitioner nos.1 and 3, as there are specific allegations attributable to them. Accordingly, the prayer for bail of the petitioner no.1, viz., **Joydeb Bag** and the petitioner no.3, viz., **Sonali Bag** is rejected.

However, considering the extent of complicity of the petitioner no.2 and the period of detention, we are of the opinion that further detention of the petitioner no.2 is not necessary and we are inclined to grant bail to him.

Accordingly, we direct that the petitioner no.2, viz., **Ishwar Bag**, be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Katwa, Purba Bardhaman and on further condition that he shall not leave the jurisdiction of the Katwa Police Station without the leave of the learned trial court.

The application for bail, being CRM No.313 of 2021, is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)