

**08.03.2021
Court No.28
Item No. 35
Krishnendu
Bail Granted**

**C.R.M. 741 of 2021
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with English Bazar Police Station Case No. 1138 of 2020 dated 28.11.2020 under sections 498A/304B of the Indian Penal Code.

And

In Re : **Biky Das**

Petitioner

Mr. Prabir Majumder

For the petitioner

Mrs. Sukanya Bhattacharya
Md. Kutubuddin

For the State

Mr. Majumder, learned advocate for the petitioner submits that the marriage between the petitioner and the victim lady, Riya Ghosh, was solemnized in the month of May, 2020. The petitioner's wife committed suicide at her maternal uncle's place on 21st November, 2020. Upon completion of investigation, charge sheet has already been filed. However, there is no possibility towards early conclusion of trial and in the said conspectus, further detention of the petitioner, who is in custody for 110 days, is not warranted.

The learned advocate appearing for the State opposes the prayer for bail and draws our attention to the statements of the witnesses, as recorded under section 161 of the Code of Criminal Procedure and the post-mortem report.

We have perused the materials in the case diary. Considering the allegations levelled and the fact that the

petitioner's wife committed suicide at her maternal uncle's place and since investigation has already been concluded, we are of the opinion that further detention of the petitioner is not warranted in the facts and circumstances of the case. However, to instil confidence in the mind of the witnesses, his movement needs to be restricted.

Accordingly, the petitioner, namely, **Biky Das**, shall 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 Chief Judicial Magistrate, Malda and with a further condition that the petitioner shall meet with the Officer-in-Charge of English Bazar Police Station once a week on and from 15th March, 2021, until further orders.

The application for bail, being CRM No.741 of 2021, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)