

10.06.2021
Tkm/aj/ct 28
sl no. 98

**C.R.M. 2127 of 2021
(Through video conference)**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bankura G.R.P.S case no. 15/2019 dated 1.10.2019 under sections 498A/304B/34 of the IPC read with section 4 of the Dowry Prohibition Act

And

Allowed

In Re : Biswajit Tudu petitioner

Mr. Amit Ranjan Pati

..... for the petitioner

Mr. S G Mukherjee, Id PP

Ms. Faria Hossain

Mr. Aniket Mitra

..... for the State

The application for bail under section 439 Cr. P.C has been filed by the brother in law of the victim on the ground that the principal accused husband has been enlarged on bail by a co-ordinate Bench of this court in CRM 1209 of 2020 of 2020 on 6.2.2020.

Petitioner is in custody for 138 days.

Since the charge sheet has been filed and the matter does not call for any custodial trial and also considering the fact that petitioner is in custody for more than 138 days, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 CJM, Bankura on condition that the petitioner shall appear before the trial court on every date of hearing until further orders and

shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall not enter the jurisdiction of Bankura G.R.P.S. until further orders except for the purpose of investigation and attending court proceeding and shall report to the concerned officer in charge within whose jurisdiction he shall reside while on bail once in a week until further orders and shall provide the address where he shall presently reside to the investigating officer as well as court below while on bail. The petitioner shall surrender his passport to the Investigating Officer and if he does not possess a passport shall submit an affidavit to that effect before the Investigating Officer.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM 2127 of 2021 is disposed of.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)