

26.07.2021

Sl. No.13

Court No.28

BM

CRM 2153 of 2021

(Via Video Conference)

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with English Bazar Police Station Case No.380 of 2020 dated 4.5.2020 under Sections 498A/304B/34 of the Indian Penal Code.

And

In the matter of : Manotosh Biswas @ Monotosh Biswas

... Petitioner

Mr. Kallol Mondal

Mr. Musharraf Alam Sk.

Mr. Krishan Ray

Mr. Amrita Chel

Mr. Souvik Das

Mr. Anamitra Banerjee ... for the petitioner

Mr. S. G. Mukherjee, learned PP

Mrs. Faria Hossain

Mr. Sonali Das ... for the State

The accused/petitioner is the husband of the deceased. He is languishing in jail for about 446 days in connection with English Bazar Police Station Case No.380 of 2020 dated 4th May, 2020 under Sections 498A/304B/34 of the Indian Penal Code.

Having heard the learned counsel for the petitioner and the State and on careful perusal of the case diary, it is ascertained that co-accused person released on bail. Though in the petition of complaint it is alleged that the petitioner used to inflict torture upon the victim on illegal demand of dowry, the said fact has not been directly corroborated by the neighbour of the matrimonial home of the deceased.

Charge sheet has been submitted. Therefore, considering the omnibus nature of allegation, we are of the view that the accused should be enlarged on bail.

The accused may find bail of Rs.20,000/- with two sureties of Rs.10,000/- each one of whom must be a local surety to the satisfaction of the learned Chief Judicial Magistrate, Malda with further condition that if on bail he must attend the court on each and every date of trial.

Application for bail being CRM 2153 of 2021 is disposed of.

(Bibek Chaudhuri, J.)

(Shivakant Prasad, J.)