

28.06.2021

CRM 2773 of 2021

Court No. 28
Item No. 47
nandy

(bail - allowed)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 17.03.2021 in connection with Lalgola Police Station Case No. 290 of 2020 dated 06.08.2020 under Sections 498A/304B/34 of the Indian Penal Code.

and

In the matter of: **Dibaran Ghosh**

..... Petitioner

Mr. Sarthak Barman, Advocate

Mr. Asim Kumar Chakraborti, Advocate

.....for the Petitioner

Mr. P.K. Datta, learned A.P.P.

Mr. Santanu Deb Roy, Advocate

..... for the State

The petitioner has filed the instant application for bail in connection with Lalgola Police Station Case No. 290 of 2020 dated 06.08.2020 under Sections 498A/304B/34 of the Indian Penal Code.

The petitioner is the uncle-in-law of the victim lady who unfortunately died and First Information Report (FIR) was lodged, as the death appears to be unnatural. The element of torture for dowry has already been made in the said FIR.

In course of hearing it is submitted that other co-accused persons including the husband has been enlarged on bail.

The allegations being omnibus in nature and commonality is patent, we do not think that the present petitioner stand on different footing that of other co-accused.

As such, the prayer for bail is **allowed**.

Accordingly, the petitioner shall be released on bail on the following conditions:-

- i) The petitioner shall furnish a bond of Rs.10,000/-, with two sureties of Rs.5,000/- each, one of whom must be local, to the

satisfaction of the learned Additional Chief Judicial Magistrate, Lalbagh;

- ii) The petitioner shall make himself available on each and every date so fixed by the trial Court;
- iii) Failure to attend the Court on a solitary day without any justifiable reason shall disentitle the petitioner the privilege of bail and the trial Court would be at liberty to cancel the bail without any reference to this Court.

The application being **CRM 2773 of 2021** accordingly **disposed of.**

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)