

(Via Video Conference)

CRM 3289 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Patashpur Police Station** Case No. **406 of 2020** dated **09.11.2020** under Sections **498A/304(B)/34** of the Indian Penal Code.

- A n d -

In the matter of : Utpal Bhanja @ Uttam.

.... Petitioner.

Mr. Jayanta Narayan Chatterjee,
Mr. Sk. S. Ali,

... For the Petitioner.

Mr. P. K. Datta,
Mr. S. Deb Roy,

... For the State.

The charge is under Sections 498A/304B/34 of the Indian Penal Code.

The petitioner is the husband of the deceased lady. The parents-in-law of the deceased lady have been enlarged on bail.

We have considered the material in the case diary including the post mortem report. Apparently, it was a case of suicide. The petitioner has been in custody for about 250 days. The charge sheet has been filed. It is anybody's guess as to when the trial shall commence and shall conclude. We do not see how any useful purpose will be served by detaining the petitioner in custody any further. Therefore, we are inclined to grant bail to the petitioner on stringent conditions.

Accordingly, we direct that the petitioner 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 Additional Chief Judicial Magistrate at Contai, and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)