

27.07.2021
Item no. 20
Court No.32.
S.De.(s)
(Allowed)

(Via Video Conference)

CRM 3621 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 27.04.2021 in connection with Contai Police Station Case No. 195 of 2020 Dated 15.06.2020 under Sections 498A/304(B)/34 of the Indian Penal Code, 1860 readwith Sections 3 / 4 of the Dowry Prohibition Act, 1961.

And

In the matter of : Debabrata Patra & Ors.

.....Petitioner.

Mr. Sourav Chatterjee, Advocate,
Mr. P. Edulji, Advocate,
Mr. S.K. Das, Advocate,
Mr. A. Ahmed,

.....for the Petitioners.

Mr. Madhusudan Sur, Ld. A.P.P.,
Mr. Dipankar Pramanick, Advocate,

.....for the State.

The petitioners are members of the matrimonial family of the victim/deceased. It is submitted on behalf of the petitioners that the husband of the victim who is principal accused has been arrested. The petitioners are in custody for 138 days. Charge sheet has been submitted. Their further detention is not necessary.

The State opposes the prayer for bail and refers to the various statements of witnesses under Section 161 of the Code of Criminal Procedure allegedly implicating the petitioners in the offence.

We have considered the material available before us. The petitioners are in custody for 138 days. The husband/principal accused is also in custody.

Having considered the material on record as well as the extent of complicity of the petitioners in the alleged crime and also period of their detention, we are inclined to hold that the further detention of the petitioners is not necessary. They may be granted bail.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the ACJM, Contai, Purba Midnapore and on further conditions that they shall remain within the jurisdiction of the concerned police station and petitioner nos. 1 and 3 shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. The petitioners 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 petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the

trial court shall be at liberty to cancel the petitioners' 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.)