

10.08.2021
Item no.65.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 3981 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 08.06.2021 in connection with Patashpur Police Station Case No.453 of 2020 Dated 14.12.2020 under Sections 498A/302/34 of the Indian Penal Code read with Sections 3 /4 of the Dowry Prohibition Act

And

In the matter of : Gurupada Manna

.....Petitioner.

Sk. Sahjahan Alifor the Petitioner.

Mr. Tanmoy Kr. Ghosh,
Mr. Arindam Senfor the State.

The petitioner is the husband of the victim lady. We are told that after the incident took place, the victim lady was in hospital for seven days. However, there is no statement of the victim lady.

We have seen the material in the case diary including statements of local people/neighbours recorded under Section 161 of the Code of Criminal Procedure. The brunt of the allegations, prima facie, appears to be against the in-laws. The mother-in-law, we are told, has been enlarged on bail by this Court on 3.8.2021 in CRM No.3982 of 2021.

The petitioner is in custody for 212 days. Charge sheet has been filed. Considering the material on record and the possible extent of complicity of the petitioner in the alleged offence and in view of the fact that the co-accused mother-in-law has been granted bail by this Court, we are inclined to allow the prayer of the petitioner.

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, Contai, and on further conditions that he shall remain within 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.)