

97. 09.08.2021  
Ct.32  
Tanmoy  
Allowed

**C.R.M. 4093 of 2021**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **14/06/2021** in connection with Cri. Misc. Case No.**207/2021** arising out of **Dankuni Police Station Case No. 248/2020** dated **14/12/2020** under Sections **302/34** of the Indian Penal Code.

And

In the matter of: - **Sudipto Chowdhury**

|                                                           |                        |
|-----------------------------------------------------------|------------------------|
| Mr. Sudip Ghosh Chowdhury                                 | ....petitioner.        |
|                                                           | ...for the petitioner. |
| Mr. Madhusudan Sur, Ld. A.P.P.,<br>Mr. Dipankar Paramanik | ...for the State.      |

It is submitted on behalf of the petitioner that the dispute between the victim and his estranged wife led to the alleged incident. The petitioner is the husband of the estranged wife of the victim. The petitioner submits that he has been falsely implicated and he had no role to play in the death of the victim.

Learned Counsel for the State refers to the Case Diary including statements of the witnesses under Sections 161/164 of the Code of Criminal Procedure. We are informed that charge-sheet has been submitted.

Having considered the material in the Case Diary including the statements of witnesses and extent of complicity of the petitioner in the alleged crime and also, as charge-sheet has been submitted, we are inclined to hold that further detention of

the petitioner, who is in custody for a considerable period of time, is not warranted and he may be granted bail.

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, Serampore, on condition that the petitioner shall appear before the trial Court on every date of hearing and shall meet the Officer-in-Charge of the Police Station within the jurisdiction of which he resides once every fortnight until further orders and shall not leave the district without leave of the Officer-in-Charge. The petitioner is further directed not to intimidate the witnesses and/or tamper with evidence in any manner whatsoever and shall not commit similar offence in future.

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 being C.R.M. 4093 of 2021 is, accordingly, **allowed**.

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

**(Suvra Ghosh, J.)**

**(Arijit Banerjee, J.)**