

31.08.2021
Item no. 61
Court No.32.
S.De.
(Allowed)

(Via Video Conference)

CRM 4529 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 05.07.2021 in connection with Hasnabad Police Station Case No. 463 of 2020 dated 18.07.2020 under Sections 498A/302/304B/34 of the Indian Penal Code.

And

In the matter of : Sanat Mondal & Anr.

.....Petitioners.

Mr. Satadru Lahari, Advocate,
Mr. Safdar Azam, Advocate,

.....for the Petitioners.

Mr. Tanmoy Kr. Ghosh, Advocate,
Mr. Arindam Sen, Advocate,

.....for the State.

The petitioners are the parents-in-law of the victim lady.

The petitioners say that they have no involvement in the death of the victim. They have been falsely implicated in this case. The husband of the victim has been granted bail by this Court. The petitioners and the sister-in-law of the victim had applied for anticipatory bail before this Court. By an order dated December 11, 2020 passed in CRM 10260 of 2020, the prayer of the sister-in-law was allowed but the prayer of the present petitioners was rejected. Within four

days thereafter, the petitioners surrendered and were taken into custody.

We have considered the material in the case diary. On an overall assessment of the material on record and the possible degree of complicity of the petitioners in the alleged offence and also in view of the fact that the husband has been enlarged on bail and charge sheet has already been submitted, we are of the view that further custodial detention of the petitioners is not necessary.

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 learned Additional Chief Judicial Magistrate, Basirhat and on further conditions that they shall remain within the jurisdiction of the concerned police station and petitioner no.1 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 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.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)