

91. 31.08.2021
Ct.32
Tanmoy
Allowed

C.R.M. 4644 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **09/07/2021** arising out of **Ramnagar Police Station Case No. 80 of 2021** dated **05/03/2021** under Sections **498A/304B/34** of the Indian Penal Code read with Sections **3/4** of the Dowry Prohibition Act.

And

In the matter of: - **Muktar Saha**

....petitioner.

Mr. Ranadeb Sengupta,
Mr. Ayan Chakraborty,

...for the petitioner.

Ms. Faria Hossain,
Mr. Aniket Mitra

...for the State.

The petitioner is the husband of the victim lady. He says that he has no role to play in the death of the victim, being his wife. His wife committed suicide by hanging. He is in custody for 147 days. All the other accused persons including the parents-in-law of the victim have been granted bail by the learned trial Court.

We have seen the statements of neighbours recorded under Section 161 of the Code of Criminal Procedure. The allegations made are omnibus in nature against all the accused persons. There is nothing specific against the present petitioner. Charge-sheet has been filed.

On an overall assessment of the material on record and the facts and circumstances of the case, we are of the opinion that further custodial detention of the petitioner is not necessary.

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 learned Additional Chief Judicial Magistrate, Contai, 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 shall not 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. 4644 of 2021 is, accordingly, disposed of.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)