

23.09.2021
Item no. 75
Court No.32.
S.De.
(Allowed)

(Via Video Conference)

CRM 4661 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.07.2021 in connection with Taherpur Police Station Case No. 93 of 2021 dated 27.04.2021 under Sections 498A/304-B/34 of the Indian Penal Code.

And

In the matter of : Uttam Mondal.

.....Petitioner.

Ms. Sananda Bhattacharyya, Advocate,
.....for the Petitioner.

Ms. Faria Hossain, Advocate,
Ms. Baisali Basu, Advocate,
.....for the State.

The petitioner is the husband of the deceased lady. The petitioner says that he has no role to play in the death of his wife. She consumed poison.

We have seen the material in the case diary. The statements of witnesses are general and omnibus in nature making allegations against the petitioner and his parents. The Post Mortem Report says that the death was due to ingestion of unknown poison. Charge-sheet has been submitted. The petitioner is in custody for 148 days.

On an overall assessment of the material on record and the possible extent of complicity of the petitioner in the

alleged offence, we are of the opinion that further detention of the petitioner is not necessary.

Accordingly, we direct that the petitioner namely **Uttam Mondal** 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, Ranaghat, Nadia and on further conditions that he shall remain within the jurisdiction of the concerned police station and he 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.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)