

29.09.2021
Serial no. 68
Dd

(Through Video Conference)

CRM 4775 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure filed on **15th July, 2021** in connection with **Dhaniakhali** Police Station Case No. **171 of 2020** dated **28.12.2020** under **Sections 498A/306/34** of the Indian Penal Code.

-And-

In the matter of : Ashutosh Sarkar

... ..Petitioner

Ms. Minoti Gomes, Advocate
... .. For the Petitioner

Mr. Binoy Panda,
Mr. Subham Bhakat,
Ms. Puspita Saha, Advocate
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody in excess of 270 days. The police submitted charge sheet and, therefore, further detention of the petitioner is not required.

Learned advocate appearing for the State submits that the lady died within three months of her marriage. He draws the attention of the court to the statements recorded under Section 161 of the Criminal Procedure Code of the maternal uncle of the petitioner.

Considering the materials in the case diary and considering the fact that the police submitted charge sheet, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000- (Rupees Ten Thousand only) with two sureties of like amount each, one

of whom must be local, to the satisfaction of the Learned Sessions Judge, Hooghly subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail is **allowed**.

CRM 4775 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)