

07.10.2021
Item no. 18
Court No.32.
S.De.
(Allowed)

(Via Video Conference)

CRM 5031 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.07.2021 in connection with Purulia (M) Police Station Case No. 216 of 2020 dated 15.10.2020 under Sections 498A/302/304B/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

And

In the matter of : Mithun Bauri.

.....Petitioner.

Mr. Abhra Mukherjee, Advocate,
Mr. Sauradeep Dutta, Advocate,
.....for the Petitioner.

Mr. Saswata Gopal Mukherjee, Ld. Public Prosecutor,
Ms. Faria Hossain, Advocate,
Mr. Aniket Mitra, Advocate,
.....for the State.

The petitioner is the cousin brother-in-law of the lady who is said to have committed suicide.

The petitioner says that there was a fight between the victim lady, her husband and father-in-law. He is not involved in the death of the victim. The husband and in-laws of the victim are on bail. He is in custody for 123 days.

We have seen the material in the case diary. The allegations against the petitioner are general in nature. It appears that he stands on the same, if not better footing

than the other accused persons who have been granted bail by the learned Trial Court.

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

Accordingly, we direct that the petitioner namely **Mithun Bauri** 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 Chief Judicial Magistrate, Purulia and on further conditions that he shall remain within the jurisdiction of the concerned police station and the petitioner 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 and/or commit any cognizable offence 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.)