

09.12.2021.
23.
as
(Allowed)

C.R.M. 5047 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur P. S. Case No.173 of 2021 dated 09.03.2021 under Sections 498A/304B/34 of the Indian Penal Code.

In the matter of : Avijit Sardar & Anr.

.... Petitioners.

Ms. Sananda Bhattacharya.

...for the Petitioners.

Ms. Faria Hossain,
Ms. Sonali Das.

...for the State.

Petitioners are in custody for about 200 days.

Investigation is complete.

Learned Advocate appearing for the State opposes the prayer for bail and submits victim housewife committed suicide within four years of marriage.

We have considered the materials on record. Allegations of torture are general and omnibus. It requires to be assessed in the course of trial whether the torture was soon before the suicide of the housewife or not.

Under such circumstances and keeping in mind the period of detention suffered by the petitioners, we are inclined towards granting bail to the petitioners.

Accordingly, 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, Ranaghat, Nadia subject to condition that the petitioners shall appear

before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application, being C.R.M.5047 of 2021, is disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)