

C. R. M. 5586 of 2021

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.08.2021 in connection with Chanchal Police Station Case No. 257 of 2021 dated 13.04.2021 under Section 498(A)/304(B)/34 of the Indian Penal Code

And

In Re: **Abdul Rajjak**

... .. Petitioner

Mr. Arup Sarkar

... .. for the petitioner

Ms. Zareen N. Khan
Ms. Sreeparna Das

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 208 days. The investigation is complete. He prays for bail.

Learned advocate appearing for the State opposes the prayer for bail and submits that the victim-housewife committed suicide within three years of marriage. She had been subjected to torture of dowry.

We have considered the materials on record including the statements of witnesses. Allegations with regard to demand of dowry are general and omnibus in nature. The victim suffered suicidal hanging.

In view of the aforesaid facts, the period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner.

Therefore, the accused/petitioner 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 Additional Chief Judicial Magistrate, Chanchal, Malda, subject to condition that the petitioner 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 or commit similar offences in future.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands allowed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)