

07.09.2021
Serial no. 10
Dd

(Through Video Conference)

CRM 5695 of 2021

In re : An Application for Bail under Section **439** of the Code of Criminal Procedure filed on **25.08.2021** in connection with **Hura** Police Station Case No. **43 of 2021** dated **01.05.2021** under **Sections 306/34** of the Indian Penal Code, 1860 now pending as **G.R. Case No. 571 of 2021.**

And

In the matter of : Anil Gorai & Anr. Petitioners

Mr. Saurav Chatterjee,
Mr. Pawan Kr. Gupta,
Mr. Sougata Mitra,
Ms. Ankita Dey, advocates
... .. For the Petitioners

Mr. Debabrata Chatterjee, APP
Ms. Moushumi Sarkar, advocates
... ...For the State

Learned advocate appearing for the petitioners submits that the deceased due to a bad marriage started living with the petitioner no. 2. She committed suicide. The police completed the investigation and submitted charge sheet. He submits that further custody of the petitioners is not required.

Learned advocate appearing for the State draws the attention of the court to the statements recorded under section 161 of the Criminal Procedure Code and the Post Mortem Report. He submits that the neighbours implicated the petitioner no. 2 as one of the persons misbehaving with the deceased while she was staying with the petitioner no. 2.

Considering the facts and circumstances and considering the fact that the police submitted charge sheet and considering the statements recorded under section 161

of the Criminal Procedure Code, we grant bail to the petitioner no. 1, **Anil Gorai**, and reject the prayer for bail of the petitioner no. 2, **Raj Kumar Gorai**, at this stage.

Accordingly, we direct that the **petitioner no. 1, Anil Gorai**, 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 Chief Judicial Magistrate, Purulia subject to condition that the **petitioner no. 1** 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 no. 1** 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 no. 1** in accordance with law without further reference to this Court.

The application for bail of petitioner no. 1, **Anil Gorai**, is **allowed** and application for bail of the petitioner no. 2, **Raj Kumar Gorai**, is **rejected**.

CRM 5695 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)