

22.09.2021
Serial no. 02
Dd

(Through Video Conference)

CRM 5775 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure filed on **25th August, 2021** in connection with **Santipur** Police Station Case No. **307 of 2021** dated **May 25, 2021** under **Sections 498A/ 307/ 34 adding section 304B** of the Indian Penal Code.

-And-

In the matter of : Sri Tapas Das @ Sada Petitioner

Ms. Sananda Bhattacharyya, Advocate
... .. For the Petitioner

Mr. Saibal Bapuli, Ld. APP
Mr. Arani Bhattacharya, Advocates
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is the husband of the deceased. She refers to the dying declaration which implicates the parents-in-law of the deceased. She submits that the parents-in-law surrendered before the jurisdictional court. She contends that since the police submitted charge sheet, custodial interrogation of the petitioner may not be required by the police.

Considering the fact that persons who were implicated in the dying declaration of the deceased surrendered before the jurisdictional court and considering the fact that the police submitted charge sheet and also considering the fact that the petitioner before us stands in different footing than those who were named in the dying declaration, 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 Additional Chief judicial Magistrate, Ranaghat, Nadia 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 5775 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)