

20.09.2021

22
Ct. No. 29
sdas
Allowed

**C.R.M. 6134 of 2021
(Via Video Conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Simlapal Police Station Case No. 46 of 2021 dated 21.04.2021 under Sections 498A/304B/302/120B of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Arati Gorai petitioner

Mr. Samiran Mandal
Mr. Abhinaba Dan
Mr. Nitish Samanta

.....for the petitioner

Mr. Prasun Kumar Datta, learned A.P.P.
Mr. T. K. Ghosh
Md. Kutub Uddin

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that one of the co-accused persons was granted bail. He also submits that the petitioner is in custody in excess of 144 days. The petitioner looks after the child of the deceased who is one year and four months. He further submits that since the police submitted charge-sheet further detention of the petitioner is not required.

Learned advocate appearing for the State draws the attention of the Court to the statements recorded under Section 164 of the Code of Criminal Procedure. He opposes the prayer for bail.

Considering the fact that the husband of the deceased is in custody and that the husband of the petitioner was granted bail and considering the statements recorded under Section 164 of the Code of Criminal Procedure of the father of the victim girl, 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/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Khatra, Bankura, subject to the condition that 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 in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel bail of the petitioner automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)