

CRM 6610 of 2021

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

And

In the matter of: **Anup Kumar Gorai**

....Petitioner

Mr. Samiran Mondal

Mr. Abinaba Dan

...for the Petitioner

Ms. Faria Hossain

Ms. Sonali Das

...for the State.

The petitioner is in custody for 232 days. Investigation is complete.

It is submitted that he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses show victim housewife committed suicide. Allegations of torture are general and omnibus. Whether the victim was subjected to harassment over dowry soon before her death or not requires to be assessed in the course of trial.

In such circumstances and in view of the period of detention suffered by the petitioner and as investigation is complete, we are of the opinion further detention of the petitioner is not required.

The prayer for bail is thus allowed.

Let the petitioner 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 Additional Chief Judicial Magistrate, Khatra, subject to the condition that he shall appear before the learned trial court regularly on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail is, thus, disposed of.

(Joymalya Bagchi, J.)

(Bivas Pattanayak, J.)