

474 30.11.2021
AD Ct. No.29
(Allowed)

C.R.M. 7374 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.11.2021 in connection with **GR Case No.43/2021** arising out of **Tapan** P.S. Case No. **09/2021** dated **09/01/2021** under Sections **498(A)/304B/34** of the Indian Penal Code read with Sections **3/4** of the Dowry Prohibition Act, 1961.

And

In the matter of: Bishok Das @ Bisok Das

....petitioner.

Mr. Debashis Banerjee

Mr. Subrata Saha

...for the petitioner.

Mr. Saswata Gopal Mukherji, Ld. PP

Mr. Partha Pratim Das

Ms. Manasi Roy

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for about 300 days. The petitioner was falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the suicide note and to the statement recorded under Section 164 of the Code of Criminal Procedure.

Considering the materials in the case diary including the suicide note and considering the fact that the petitioner stands in a different footing than the husband and considering the period of detention, we grant bail to the petitioner.

Accordingly, 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 Learned Chief Judicial Magistrate, Balurghat, Dakshin Dinajpur subject to the condition that during bail he shall appear before the learned trial court on the date fixed till disposal of the trial and he 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 being C.R.M. 7374 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)