

22.01.2021
Court No.28
Item No. 08
Krishnendu
Bail Granted

**CRM 10787 of 2020
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re: **Nurnehar Bibi & Ors.**

Petitioners

Mr. Debajyoti Deb

Mr. Pabitra Biswas

For the Petitioners

Mr. S.G. Mukherji, Id. A.P.

Mr. Partha Pratim Das

Mrs. Manashi Roy

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioners in connection with Deganga Police Station Case No. 378 of 2020 dated 11.08.2020 under sections 498A/304B/302/34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

The learned advocate appearing for the petitioners submits that the petitioner no. 1 is the mother-in-law, the petitioner no. 2 is the father-in-law and the petitioner no. 3 is the brother-in-law of the deceased. The son of the petitioner nos. 1 and 2 married the deceased one and half years ago. The petitioners herein were living separately. The couple used to reside at a separate place. There is no specific accusation attributable to the petitioners herein. Upon completion of investigation, charge

sheet has also been filed and as such further detention of the petitioners, who are in custody for 137 days, is not required. The husband of the deceased is in custody till date.

Mr. Das, learned advocate appearing for the State opposes the prayer for bail and submits that the death occasioned five days after the alleged incident. There are materials on record, which depict involvement of the petitioners in the alleged offence.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that further detention of the petitioners is not necessary.

Accordingly, we direct that the petitioners, namely **Nurnehar Bibi, Md. Rajjak Ali Mondal @ Rajjak Mondal and Anarul Mondal**, shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, North 24-Parganas at Barasat.

With the aforesaid observations, the application for bail, being CRM No. 10787 of 2020, is disposed of.

(Tirthankar Ghosh, J)

(Tapabrata Chakraborty, J)