

18.03.2021

CRM 11281 of 2020

Court No. 28
Item No. 55
snandy

(ALLOWED)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 24.12.2020 in connection with Santipur Police Station Case No. 392 of 2020 dated 08.09.2020 under Sections 498A/304B/34 of the Indian Penal Code.

and

In the matter of: **Tapas Ghosh**

..... Petitioners

Mr. Angshuman Chakraborty, Advocate

Mr. Shashanka Sekher Saha, Advocate

.....for the Petitioners

Mr. Saswata Gopal Mukherjee, Learned P.P.

Ms. Rita Datta, Advocate

..... for the State

The petitioner has filed the instant application for bail in connection with Santipur Police Station Case No. 392 of 2020 dated 08.09.2020 under Sections 498A/304B/34 of the Indian Penal Code.

Learned Advocate of the petitioner submits that the petitioner is in custody for about 160 days and the victim committed suicide on certain trivial issues. It is also submitted that the investigation of the case has been concluded and the petitioner may be released on bail on any stringent condition.

Mr. Mukherjee, learned Public Prosecutor opposes the prayer for bail and draws the attention of the Court to the statements of the witnesses, which include the statement of the neighbours as well as that of the mother of the deceased.

We have perused the case diary and assessed the materials available therein. Having regard to the period of detention of the present petitioner, we are of the opinion, further detention of the petitioner is unwarranted.

In the facts and circumstances of the present case, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of Rs.5,000/- each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat on the following conditions:-

- i) The petitioner shall not tamper with the evidence in any manner whatsoever;
- ii) The petitioner shall not intimidate the witnesses;
- iii) The petitioner shall meet the Officer-in-charge of Shantipur Police Station once in a week until further order.
- iv) In the event of non-compliance of any of the aforesaid conditions, liberty is given to the trial Court to take decision on cancellation of bail without any reference to this Court.

The application being **CRM 11281 of 2020** accordingly **disposed of.**

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)