

12.08.2021
Item no.8.
Court No.32.
AB
(Allowed)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri**

(Via Video Conference)

CRM No. 807 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 3.8.2021 in connection with Madarihat Police Station Case No.46 of 2021 Dated 31.3.2021 under Sections 498A/306/34 of the Indian Penal Code

And

In the matter of : Sunayan Das

.....Petitioner.

Mr. Arnab Sahafor the Petitioner.

Mr. Ujjwal Luksom,
Mr. Biswaroop Royfor the State.

The petitioner is the husband of the victim. The prosecution says that the victim committed suicide within three months of marriage.

We have seen the material in the case diary including the inquest report and the post mortem report. Till now, it is not clear as to what the cause of death was. No external or internal injury has been found as far as the victim is concerned. The other co-accused persons have been granted anticipatory bail by the learned Court below. Charge sheet has been filed.

In view of the aforesaid and considering the material on record as well as the extent of complicity of the petitioner in the alleged offence, we are inclined to enlarge him on bail, although on stringent conditions.

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, Alipurduar, and on further conditions that he shall remain within the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.

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 adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)

