

31.03.2022

Serial no. 96

[Dd]

(Bail **allowed**)

CRM(DB) 95 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with G. R. Case No. **43 of 2021** arising out of **Tapan** Police Station Case No. **09 of 2021** dated **09.01.2021** under Sections **498(A)/304B/34** of the Indian Penal Code read with Section **3/4** of the Dowry Prohibition Act, 1961.

-And-

In the matter of : Prasanta Das @ Prosenjit Das

... .. Petitioner

*Mr. Pawan Gupta,
Mr. Subrata Saha,
Mr. Debasish Banerjee,
Mr. Abhik Biswas, Advocates
... .. For the Petitioner*

*Mr. Bidyut Roy,
Mr. Mirza Firoj Ahmed Begg, Advocates
... ..For the State*

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 440 days. The police filed charge sheet and, therefore, further detention of the petitioner is not required. He submits that other co-accuseds were enlarged either on anticipatory bail or on bail.

Learned advocate appearing for the State draws the attention of the Court to the suicide note of the victim.

Considering the period of detention of the petitioner and considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that police filed charge sheet, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/-

(Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the **Learned 1st Additional District Judge, Balurghat, Dakshin Dinajpur** subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail of the petitioner is **allowed**.

CRM(DB) 95 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)