

CRM (DB) 188 of 2022

(via video conference)

Re: An application for anticipatory bail under Section 439 of the Code of Criminal Procedure.

In the matter of : **Sandip Roy**

..... petitioner

Ms. Pampa Dey (Dhabal)

.....For the petitioner

Md. Anwar Hossain

Ms. Ratna Ghosh

.....For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Indas P.S. Case No. 38/21 dated 16.03.2021 under Sections 498A/304B/120B of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Ms. Dey (Dhabal), learned advocate appearing for the petitioner submits that the victim lady committed suicide and the petitioner has been falsely implicated. The other co-accused persons have already been granted bail. Upon completion of investigation, charge sheet has been submitted and as such, further detention of the petitioner, who is in custody for about 330 days, may not be necessary and he may be enlarged on bail on any stringent condition.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses, as recorded under Section 161 of the Code, the inquest report and the post mortem report.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of accusations, the period of detention already suffered by the petitioner and the possible extent of complicity of the petitioner in the alleged offence, we are of the opinion that further detention is not warranted.

Accordingly, we allow this application and direct that the petitioner, namely, **Sandip Roy**, 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 a local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Bishnupur, Bankura.

The petitioner shall attend the learned Court below on all the dates, as specified for hearing and shall not intimidate the witnesses or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel his bail without any further reference to this Court.

With the aforesaid observations, the application for bail, being CRM (DB) 188 of 2022, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)