

02.03.2022
Serial no. 45
Aloke
Ct. No. 29

CRM (DB) 588 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 25.02.2022 in connection with Joypur P.S. Case No. 150 of 2021 dated 12.09.2021 under Sections 498A/304B of the Indian Penal Code and Sections 3 and 4 of the D.P. Act and Sections 9/10 of the Prohibition of Child Marriage Act, 2006.

-And-

In the matter of: Chattu Dolui

... ...Petitioner

Mr. Soumya Basu Roy Chowdhury, Advocate

... ... For the Petitioner

Mr. Saswata Gopal Mukherjee, Id. PP

Ms. Amita Gaur, Advocate

... ...For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 169 days. The police filed charge-sheet, therefore, further detention of the petitioner is not required.

Learned Advocate appearing for the State draws the attention of the Court to the contents in the case diary including the statement recorded under Section 164 of the Code of Criminal Procedure. In reply to the query of the Court, she submits that the victim committed suicide as appearing from the postmortem report.

It appears from the postmortem report that the victim suffered injury of non-continuous ligature mark suggesting suicide.

Considering the period of detention of the petitioner and considering the fact that the police filed charge-sheet and considering the postmortem report, 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 Additional Chief Judicial Magistrate, Uluberia, Howrah, 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 is allowed.

CRM (DB) 588 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)