

04.03.2022

35

Ct. No. 29

KAUSHIK

Allowed

C.R.M. (DB) 609 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Santipur** Police Station Case No. **886** of **2021** dated **25.10.2021** under Sections 498A/304B/34 of the Indian Penal Code (Charge-sheet filed under Sections 498A/304B/34 of the Indian Penal Code and under Sections 3/ 4 of the Dowry Prohibition Act).

And

In Re : Biswajit Barman

..... petitioner

Mr. Sagar Saha
Mr. Subir Debnath
Ms. Roma Roy

.....for the petitioner

Mr. Saswata Gopal Mukherjee, learned Public Prosecutor
Mr. Aniket Mitra

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioners submits that, the petitioner is in custody for 129 days. The police filed charge-sheet and, therefore, further detention of the petitioner is not required. He submits that, the victim committed suicide after locking herself in the room.

Learned advocate appearing for the State draws the attention of the Court to the post mortem report of the victim. The cause of death stated in the post mortem report is 'hanging and ante-mortem in nature'. The injury column in the post mortem report does not depict any other injury on the body of the victim.

Considering the period of detention of the petitioner and considering the fact that the police filed charge-sheet and considering the fact that other co-accused were granted anticipatory bail, we grant bail to the petitioner.

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 Sub-Divisional Judicial Magistrate, Ranaghat, Nadia**, subject to the condition that 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 appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner automatically without reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)