

21.03.2022

Serial no. 54

[Dd]

(Bail **allowed**)

CRM (DB) 756 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Harwood Point Coastal** Police Station Case No. **400** of **2021** dated **29.11.2021** arising out of G. R. Case No. **2445 of 2021** under Sections **498A/306/34** of the Indian Penal Code read with Sections **3/4** Dowry Prohibition Act (Charge Sheet no. **60 of 2022** under Sections **498A/306/34** of the Indian Penal Code and read with Sections **3/4** Dowry Prohibition Act.

-And-

In the matter of : Taraknath Das

... .. Petitioner

Mr. Partha Sarathi Mondal, Advocate
... .. *For the Petitioner*

Ms. Zareen K. Khan,
Mr. Ashok Das, Advocates
... ..*For the State*

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that all other accuseds were named in the charge sheet excepting the petitioner and his father. The father of the petitioner was subsequently granted bail by the jurisdictional Court. He submits that the petitioner is in custody for 113 days. The police filed charge sheet. Therefore, further detention of the petitioner is not required.

Learned advocate appearing for the State submits that there are statements recorded under Section 164 of the Criminal Procedure Code of the daughters of the victim which state that the petitioner used to torture the victim and the petitioner brought down the dead body.

The post mortem report speaks of suicide. The police filed charge sheet.

Considering the period of detention of the petitioner and considering the gravity of the offence and the fact that the police filed charge sheet and considering the post mortem 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, Kakdwip, Sough 24 Parganas** 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) 756 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)