

41 07.04.2022
AD Ct. No.29
(Allowed)

C.R.M. (DB) 914 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **G.R. No.3630/2020** arising out of **English Bazar** P.S. Case No.**734 of 2020** dated **26/08/2020** under Sections **498A/323/376(2)(F)(N)/506/34** of the Indian Penal Code, 1860 read with **3/4** of Dowry Prohibition Act, 1961.

And

In the matter of: Tapas Majumder

....petitioner.

Mr. Sabir Ahmed
Ms. Priyanka Dutta
Mr. Prasun Mukherjee
Mr. Mainak Gupta
Mr. Kanchan Roy

...for the petitioner.

Mr. Binay Panda
Mr. Subham Bhakat

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. The petitioner is septuagenarian. There was a money transaction between the family of the de facto complainant and that of the family of the petitioner.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

The husband and the mother-in-law of the victim were enlarged on bail by the jurisdictional Court.

Considering the period of detention of the petitioner which is 109 days and considering the fact that the police submitted charge sheet and considering the materials in the case diary and considering his age, we grant bail to the petitioner.

Accordingly, the petitioner 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 Chief Judicial Magistrate, Malda, subject to the condition that during bail the petitioner shall appear before the learned trial court on the dates fixed till disposal of the trial and that the petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail being **C.R.M. (DB) 914 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)