

12.04.2022
Serial no. 47
Aloke
Ct. No. 29

CRM (DB) 955 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 05.04.2022 in connection with Kaliganj P.S. Case No. 28 of 2022 dated 12.01.2022 under Sections 498A/304B/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

-And-

In the matter of : Purnima Chunari & Anr.

... ..Petitioners

Mr. Atis Kr. Biswas, Advocate
Mr. Amit Singh, Advocate
Mr. Jyoti Agarwal, Advocate

... .. For the Petitioners

Ms. Faria Hossain, Advocate
Ms. Baisali Basu, Advocate

... ..For the State

Petitioners seek for bail.

Learned Advocate appearing for the petitioners submits that the petitioners are in custody for 81 days. The police filed charge-sheet. The main allegations are directed against the mother-in-law of the victim who is Dipu Chunari.

Learned Advocate appearing for the State draws the attention to the materials in the case diary including the dying declaration of the deceased.

In her dying declaration deceased told the doctor that she after she set herself on fire in front of her mother-in-law, Dipu Chunari, her mother-in-law locked the door.

Dipu Chunari is not before us.

Considering the materials in the case diary and considering the period of detention of the petitioners and considering the fact that the police filed charge-sheet and considering the involvement of the petitioners in the incident, we are inclined to grant bail to the petitioners.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia, subject to condition that petitioners 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 petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioners in accordance with law without further reference to this Court.

The prayer for bail is allowed.

CRM (DB) 955 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)