

19.04.2022

Sl. 63

Court No.29

suvayan

(Allowed)

C.R.M. (DB) 1004 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.04.2022 in connection with **Santipur** P.S. Case No. **857/2021** dated **17/10/2021** under Sections **498A/304B/34** of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act.

And

In the matter of: Dulal Biswas

....petitioner

Mr. Tanmay Basu
Mr. Debdip Mandal

...for the petitioner.

Ms. Zareen Nahar Khan
Md. Kutub Uddin

...for the State.

Leave granted to the learned Advocate appearing for the petitioner to correct the cause title.

Learned Advocate appearing for the petitioner prays for bail on the ground of parity.

The contention of parity is not disputed on behalf of the State.

The husband of the victim was granted bail on February 1, 2022 in CRM (DB) 205 of 2022. The petitioner is the elder brother of the husband who was enlarged on bail.

Considering the period of detention of the petitioner and considering the fact that the petitioner can justifiably claim parity with husband, 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia subject to the condition that during bail the petitioner shall appear before the learned trial court on the date fixed

till disposal of the trial and 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) 1004 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)