

20.05.2022

111
Ct. No. 29
KAUSHIK
Allowed

C.R.M. (DB) 1362 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Habra** Police Station Case No. **815** of **2021** dated **05.11.2021** under Sections 498A/304B of the Indian Penal Code, 1860 read with Sections 3/ 4 of the Dowry Prohibition Act, 1961.

And

In Re : Kabir Mondal

..... petitioner

Mr. Susnigdho Bhattacharya

Mr. Debapriya Majumdar

.....for the petitioner

Mr. S. G. Mukherjee, learned Public Prosecutor

Mr. Aniket Mitra

....for the State

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that, the petitioner is in custody for about six months. The mother-in-law was enlarged on bail.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Considering the post mortem report of the victim and considering the period of detention of the petitioner, 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 Chief Judicial Magistrate, Barasat,**

North 24-Parganas, 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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)