

08.06.2020.
70.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1462 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.01.2020 in connection with Joypur P. S. Case No.45 of 2022 dated 26.03.2022 under Sections 498A/304B/34 of the Indian Penal Code and Sections 3 / 4 of the Dowry Prohibition Act.

In the matter of : Rathu Sutradhar.

.... Petitioner.

Mr. Sourav Chatterjee,
Mr. Sougata Mitra,
Mr. Rameshwar Sinha,
Mr. S. Deb.

...for the Petitioner.

Mr. Goutam Wilson.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is the maternal uncle-in-law of the victim housewife. It is submitted the petitioner did not reside at the matrimonial home of the victim. He also did not play any role in her matrimonial life. He is in custody for about 72 days.

Learned Advocate appearing for the State opposes the prayer for bail and submits petitioner and co-accuseds had subjected the victim housewife to torture over demands of dowry. As a result, she committed suicide.

We have considered the materials on record. Allegation of torture by the petitioner requires to be assessed in the light of the fact that he did not ordinarily reside in the matrimonial home of the victim. Keeping in mind the extent of complicity of the petitioner in the alleged crime and the period of detention

suffered by the petitioner, we are inclined in granting bail to him.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Purulia subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses 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 his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)