

10.06.2022.
67.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1575 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chakdah P. S. Case No.129 of 2022 dated 03.03.2022 under Sections 498A/306/34 of the Indian Penal Code.

In the matter of : Rabindra Nath Das & Anr.

.... Petitioners.

Mr. Sagar Saha,
Mr. Subir Debnath,
Ms. Roma Roy.

...for the Petitioners.

Mr. Debabrata Chatterjee, Id. A.P.P.,
Ms. Sonali Das,
Ms. Mousumi Sarkar.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

It is submitted incident occurred nine years ago. It is also submitted petitioners have been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the nature of allegations and as the victim housewife committed suicide nine years after marriage and statutory presumption under Section 113A of the Evidence Act is not attracted to the facts of the case, we are inclined in granting bail to the petitioners.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like

amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Kalyani, Nadia subject to condition that the petitioners 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 petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their 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.)