

16.06.2022.
88.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1826 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhimpur P. S. Case No.105 of 2022 dated 25.03.2022 under Sections 498A/306/34 of the Indian Penal Code and Sections 3 / 4 of the Dowry Prohibition Act.

In the matter of : Laxmi Pal.

.... Petitioner.

Mrs. Karabi Roy.

...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Id.P.P.,
Mr. Aniket Mitra.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 64 days. It is further contended victim housewife committed suicide eight years after marriage.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Incident occurred eight years after marriage and the statutory presumption under Section 113A of the Evidence Act is not attracted in the facts of the case.

In view of the aforesaid fact and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, 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 Additional Chief Judicial Magistrate, Krishnanagar, Nadia 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.)