

CRM No.8225 of 2021

Via video conference

03.01.22

(S.R.)

Sl.55

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Ranaghat** Police Station Case No.273 of 2021 dated 18/08/2021 under Sections 498A/306/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act;

And

In re: Mangal Majumder & Anr.

... petitioners.

Ms. Sananda Bhattacharya

... for the petitioners.

Ms. Zareen N. Khan

Mr. Ashok Das

...for the State.

Ms. Bhattacharya, learned advocate appearing for the petitioners submits that the petitioner no.1 is the brother-in-law and the petitioner no.2 is the husband of the victim and they have been falsely implicated in an incident which occurred more than 7 years after the marriage. No overt act has been attributed to the petitioners. They have already suffered incarceration for more than 121 days. Upon completion of investigation, charge sheet has already been submitted. In view thereof, the petitioners may be enlarged on bail on any stringent condition.

Ms. Khan, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the statements of the witnesses and the post mortem report.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations, the period of detention already suffered by the petitioners and the extent of their complicity in the alleged offence, we are of the opinion that further detention is not necessary, more so when upon completion of investigation, charge sheet has been submitted.

Accordingly, the petitioners, namely, **Mangal Majumder and**

Budhadeb Majumder 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, Ranaghat, Nadia with a further condition that the petitioners shall attend the learned trial court on all the dates specified for hearing.

It is further directed that the petitioners shall not intimidate the witnesses or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioners fail to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel the petitioners' bail without any further reference to this Court.

The application for bail being CRM No.8225 of 2021 is, accordingly, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)