

02.09.2022
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allowed

CRM(DB) No. 2974 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 775 of 2021 dated 02.10.2021 under Sections 498(A)/304B of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Surajit @ Surojit Das petitioner

Mr. Shibaji Kumar Das
Ms. Rupsa Sreemani

.....for the petitioner

Mr. S. G. Mukherji, learned PP
Ms. Faria Hossain
Mr. Anand Keshari

..... for the State

Learned Counsel for the petitioner submits he is in custody for 140 days. He submits the victim had miscarried. Out of depression, he committed suicide He prays for bail.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. Whether the victim housewife committed suicide out of depression or due to torture over demands of dowry requires to be assessed during trial. Balancing the nature of accusation with the period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) 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, on condition that he shall not intimidate the witnesses or tamper with evidence in any manner whatsoever and he shall appear before the trial court on every date of hearing.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)