

19.09.2022
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allowed

CRM(DB) No. 2989 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dasnagar Police Station Case No. 50 of 2022 dated 02.05.2022 under Sections 498A/304B/306/406/34 of the Indian Penal Code.

And

In Re : Rakesh Das petitioner

Mr. Wasim Reza
.....for the petitioner

Mr. Prasun Kumar Datta, learned APP
Mr. Nirupam Dhali
..... for the State

Learned Counsel for the petitioner submits he is in custody for 86 days. Petitioner has been falsely implicated in the instant case. Victim committed suicide at her parental home.

Learned Counsel appearing for the State opposes prayer for bail and submits victim was tortured by the petitioner and other in-laws. As a consequence, she committed suicide.

We have considered materials on record. Petitioner committed suicide at her parental home. Keeping in mind the nature of allegations and period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to him.

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 Chief Judicial Magistrate, Howrah, 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.)