

(Through Video Conference)

CRM 8898 of 2021

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 20.12.2021 in connection with Gangasagar Coastal Police Station Case No. 99 of 2020 dated 04.08.2020 under Sections 498A/306/304B/34 of the Indian Penal Code.

-And-

In the matter of : Mrinmoy Debnath

... ..Petitioner

Mr. Neil Basu, Advocate

... .. For the Petitioner

Ms. Anasuya Sinha, Advocate

Mr. Pinak Kr. Mitra, Advocate

... ..For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that the co-accused was granted bail by the jurisdictional Court. The police submitted charge-sheet inter alia under Sections 498A/306/304B/34 of the Indian Penal Code. The continued detention of the petitioner is no longer required.

Learned Advocate appearing for the State draws the attention of the Court to the contents in the case diary. He also highlights the fact that the previous application for bail was rejected on January 6, 2021 when the charge-sheet was not submitted. The police case was started inter alia under Section 498A/302/34 of the Indian Penal Code. Subsequently the police filed charge-sheet without charging the petitioner under Section 302 of the Indian Penal Code.

Considering the period of detention and considering the fact that the police filed charge-sheet and considering the fact that the co-accused was granted bail by the

jurisdictional Court, 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, Kakdip, subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/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 the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail of petitioner is allowed.

CRM 8898 of 2021 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)