

28.09.2022
tkm/ct 28
sl no. 59

C.R.M. (DB) 3325 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Paikar P.S case no. 176 of 2022 dated 09.08.2022 under sections 498(A)/302/304B/34 of the IPC and sections 3/4 of the Dowry Prohibition Act.
and

**Partly
Allowed**

In Re : Lalan Mondal & Anr. petitioners

Mr. Aslam Parvez

..... for the petitioner

Mr. Saswata Gopal Mukherji, Ld. PP

Mr. Partha Pratim Das

Ms. Manasi Roy

..... for the State

Petitioners are in custody for 50 days. It is submitted that the victim housewife died due to accidental electrocution.

Learned lawyer for the State submits that victim was subjected to torture.

We have considered witnesses and other documents collected during investigation. Relationship between petitioner no. 1 husband and victim housewife was not good. Whether the death of the wife was due to accidental electrocution or otherwise, requires to be assessed during trial.

Keeping in mind aforesaid circumstances, we are of the opinion that further detention of the petitioner no. 2 i.e. mother-in-law of the victim housewife may not be necessary and he may be granted bail.

Accordingly, the petitioner no. 2 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 ACJM, Rampurhat, Birbhum on condition that the petitioner no. 2 shall

appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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 automatically without reference to this court.

As investigation is still in progress and there is materials that the relationship between the couple was not good, we are not inclined to grant bail to the petitioner no. 1 at this stage.

The application being CRM (DB) 3325 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)