

13.10.2022
cm/rkb
ct 28
sl no. 47

C.R.M. (DB) 3576 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Tamluk P.S. Case No. 137 of 2022 dated 27.02.2022 Sections 498A/304B of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act.

Allowed

In Re : Prasanta Giri @ Futa @ Chooto Kochi.

..... petitioner

Mr. Amit Ranjan Pati

..... for the petitioner

Mr. Narayan Prasad Agarwala
Ms. Jonaki Saha

..... for the State

Petitioner is in custody for 225 days. It is contended that co-accuseds are on bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Incident occurred six years after marriage. Allegations of torture are general and omnibus in nature. Whether there is livelink between the torture on the victim and her unfortunate demise requires to be assessed during trial.

Keeping in mind the aforesaid facts and circumstances of the case and as there is little possibility of the trial concluding in near future, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 the learned Chief Judicial Magistrate, Tamluk, Purba Medinipur on condition that the petitioner 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.

The application being CRM(DB) No. 3576 of 2022 is disposed of.

(Supratim Bhattacharya, J.)

(Joymalya Bagchi, J.)