

25.11.2022.
32.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4137 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Daspur P. S. Case No.307 of 2021 dated 11.06.2021 under Sections 498A/323/328/307/406/506/34 of the Indian Penal Code and under Sections 3 / 4 of the Dowry Prohibition Act and adding Section 302 of the Indian Penal Code.

In the matter of : Tarapada Santra & Ors.

.... Petitioners.

Mr. Pravas Bhattacharyya.

...for the Petitioners.

Mr. Saswata Gopal Mukherji, Id. P.P.,
Mr. Partha Pratim Das,
Mrs. Manasi Roy.

...for the State.

Petitioners are the in-laws of the victim housewife. It is submitted incident occurred 10 years after marriage. She survived in the hospital for ten days. She did not implicate anyone. They pray for bail.

Learned Advocate for the State opposes the prayer for bail. He submits victim housewife was tortured. She was unable to speak while she was in the hospital.

We have considered the materials on record. Incident occurred ten years after marriage. Victim survived for ten days in the hospital.

Keeping in mind the nature of accusation and the extent of complicity of the petitioners, we are of the opinion further detention of the petitioners is not necessary and they may be granted bail.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ghatl, Paschim Medinipore subject to condition that they shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)