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allowed

**CRM(DB) No. 4280 of 2022**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chandipur Police Station Case No. 261 of 2022 dated 20.07.2022 under Sections 498A/304B/34 of the Indian Penal Code read with Sections 4/5 of the Dowry Prohibition Act.

And

In Re : Biswarup Samanta ..... petitioner

Mr. Suman De

.....for the petitioner

Mr. Debabrata Chatterjee

Mr. Santanu Chatterjee

..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 134 days. Investigation is complete. Petitioner prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. Allegation of torture upon the housewife is general and omnibus. Incident occurred four years after marriage. Investigation is complete. Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner viz. Biswarup Samanta shall 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, Purba Medinipur, subject to condition that petitioner

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

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**