

CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI

20.04.2022
Item no.11
Ct.1
Suvendu

CRM (DB) 88 of 2022

In Re:- An application for bail under section 439 of the Code of Criminal Procedure, 1973 in connection with Matigara Police Station Case No.808 of 2019 dated 25.09.2019 under Section 304B of the Indian Penal Code, 1860, Charge-sheet submitted under Sections 304B/498A/34 of the Indian Penal Code read with Section 302 of the Indian Penal Code.

And

In the matter of:- Santosh Barman

... Petitioner

Mr. Anirban Banerjee
Ms. S. Basu

.....for the petitioner

Mr. Ujjwal Luksom
Mr. Saikat Chatterjee

.....for the State

Considering the fact that the charge-sheet has already been submitted on 20th December, 2019 and there no causal connection established between the petitioner's act and the death of the deceased, we are of the view that custodial interrogation of the petitioner is not necessary. Accordingly, the prayer for bail is allowed.

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 each of like amount, one of who must be

local to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri. The petitioner shall make himself available on every date of hearing before the learned trial court and before the concerned Police Station as and when required. The petitioner shall not leave the area of local Police Station only upon condition being granted for such. The petitioner shall not intimidate any witnesses and tamper with any evidence in any manner whatsoever.

In the event, the petitioner fails to comply with the conditions as directed, the trial court shall be at liberty of cancelling the bail without further reference to this court.

CRM (DB) 88 of 2022 is accordingly allowed and disposed of.

(Kesang Doma Bhutia, J.)

(Moushumi Bhattacharya, J.)

