

18.11.2022

Sl. No.6

akd

[ALLOWED]

**IN THE HIGH COURT AT CALCUTTA**  
**Circuit Bench at Jalpaiguri**

**C. R. M. (DB) 434 of 2022**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.11.2022 in connection with Pundibari Police Station Case No.653 of 2021 dated 11.12.2021 under Sections 498A/302/304B of the Indian Penal Code. (G.R. Case No.1952 of 2021)

And

In Re: **Raju Sutradhar**

... .. Petitioner

Mr. Hillol Saha Podder

... .. for the petitioner

Mr. Aditi Sankar Chakraborty .. Id. Addl. Public Prosecutor

Mr. Ujjwal Luksom

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 341 days. It is further submitted petitioner has been falsely implicated in the instant case.

Learned Additional Public Prosecutor opposes the prayer for bail and submits victim-housewife was subjected to torture by the petitioner and her in-laws. She committed suicide within six months of marriage.

We have considered the materials on record. Petitioner and the victim had a love marriage. Victim-housewife committed suicide at the matrimonial home. Investigation is complete. Though petitioner is in custody for about a year, trial has not commenced. There is little possibility of the trial concluding in the near future. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Raju Sutradhar**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten

thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Cooch Behar subject to condition that the said petitioner 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 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 for bail, thus, stands **allowed**.

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

**(Joymalya Bagchi, J.)**