

19.01.2023.
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as
(Allowed)

C.R.M. (DB) 16 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Panskura P. S. Case No.0606 of 2022 dated 11.09.2022 under Sections 498A/304B/120B/34 of the Indian Penal Code and charge sheet submitted under Sections 498A/304B/120B/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

In the matter of : Amit Maity @ Shibu & Anr.
.... Petitioners.

Mr. Ayan Basu,
Mr. Sourav Bera,
Mr. Sumit Routh.
...for the Petitioners.

Mr. P. K. Datta, Id. A.P.P.,
Mr. Santanu Deb Roy.
...for the State.

Heard the learned Advocates for the parties.

Report is placed on record. From the materials on record including the post mortem report, it is unclear how the victim died. There is delay in lodging the first information report. Petitioners are in custody for 128 days.

Under such circumstances, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners viz., 1). Amit Maity @ Shibu and 2) Manik Maity @ Tapan Maity 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 Chief Judicial Magistrate, Tamruk, Purba Medinipur 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.)