

30.01.2023
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allowed

CRM(DB) No. 340 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 683 of 2022 dated 12.07.2022 under Sections 498A/304B/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Prakash Chakraborty petitioner

Mr. Sayan De
Mr. Sayan Kanjilal
Mr. Kaustav Shome

.....for the petitioner

Ms. Faria Hossain
Mr. Anand Keshari

..... for the State

Learned Counsel for the petitioner submits he is in custody for 94 days. Investigation is complete. It is also submitted that victim committed suicide at her parental home. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits victim was tortured and committed suicide within two years of marriage.

We have considered the materials on record. Allegations of torture are general and omnibus. Victim committed suicide at her parental home. Investigation is complete. Under such circumstances and in view of the period of detention suffered by the petitioner, we are inclined to grant bail to him.

Accordingly, we direct that the petitioner 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia, 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.)