

17.02.2023
tkm/ct 28
sl no. 31

C.R.M. (DB) 659 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bishnupur P.S case no. 236 of 2022 dated 1.11.2022 under sections 498A/304B/34 of the IPC
and

Allowed

In Re : Subrata Dey

..... petitioner

Mr. Joy Chakraborty
Kazi S Alam
Mr. S Dinda
Ms. D Ghosh

..... for the petitioner

Mr. S G Mukherjee, Id PP
Mr. P P Das
Mrs. Manasi Roy

..... for the State

Petitioner is in custody for 109 days. It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the bail prayer. He submits victim housewife was tortured and committed suicide.

We have considered the materials on record. Allegations of torture are general and omnibus in nature. Investigation is complete. There is no possibility of the petitioner absconding. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 ACJM, Bishnupur, Bankura on condition that the petitioner shall appear before the trial court on every date of hearing and shall not

intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

The application being CRM (DB) 659 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)