

23.02.2023
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allowed

CRM(DB) No. 703 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Udaynarayanpur Police Station Case No. 150 of 2021 dated 29.11.2021 under Sections 498A/304B/506/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Subhankar Paul petitioner

Ms. Devi Priya Mitra

.....for the petitioner

Mr. Tanmoy Kumar Ghosh

Mr. Arindam Sen

..... for the State

Learned Counsel for the petitioner submits he is in custody for 465 days. It is also submitted he has been falsely implicated. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits victim housewife was tortured and committed suicide soon after the marriage.

We have considered the materials on record. Investigation is complete. Petitioner has roots in society. There is no possibility of his abscondence. There is little possibility of trial concluding in the near future. In view of the aforesaid facts, we are inclined to grant bail to the petitioner.

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, Howrah, subject to condition that the 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.)