

22.03.2023.
28.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1034 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliyaganj P.S. Case No.155 of 2022 dated 26.03.2022 under Sections 498A/304B/34 of the Indian Penal Codem read with Sections 3 / 4 of the Dowry Prohibition Act.

In the matter of : Shuvankar Das @ Mithun @ Dipankar
Das @ Subhankar Das.

.... Petitioner.

Mr. Kaushik Chowdhury,
Ms. B. Khatun.

...for the Petitioner.

Mr. Debabrata Chatterjee, ld. A.P.P.,
Mr. Santanu Chatterjee.

...for the State.

Petitioner is in custody for 332 days. It is contended victim-housewife committed suicide at the parental house. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Victim-housewife committed suicide at the parental house. Prosecution case is not one of homicide.

Keeping in mind the aforesaid fact, period of detention suffered by the petitioner and as there is no possibility of trial concluding in the near future, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Shuvankar Das @ Mithun @ Dipankar Das @ Subhankar Das shall be released on bail upon furnishing a bond of Rs.25,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of

the learned Chief Judicial Magistrate, Uttar Dinajpur subject to condition that he 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 petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)