

27.04.2023
Sl. No.14
akd
[ALLOWED]

C. R. M. (DB) 1245 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.03.2023 in connection with Raina Police Station Case No.519 of 2022 dated 25.12.2022 under Sections 498A/304B/120B of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

And

In Re: ***Aswani Panja @ Ashwani Panja & Anr.***

... .. Petitioners

Mr. Sanat Kumar Das
Mr. Sujan Chatterjee
Mr. Souparna Sinha

... .. for the petitioners

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor
Mr. Parthapratim Das
Ms. Eshita Dutta

... .. for the State

Petitioners are the parents-in-law of the victim-housewife. It is submitted on behalf of the petitioners that they are in custody for about 109 days. Investigation is complete. Accordingly, they pray for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. There is no material to show victim-housewife suffered homicidal death. Petitioners have permanent home and hearth. There is no chance of their abscondence. Investigation is complete. Balancing the nature of accusation with the period of detention suffered by the petitioners, we are of the opinion further detention of the petitioners is not necessary.

Therefore, the petitioners, namely ***(1) Aswani Panja @ Ashwani Panja & (2) Sunita Panja @ Susmita Panja***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Purba

Bardhaman subject to condition that the said petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)