

31. 29.05.2023
Ct.4 jb/Tanmoy

Allowed

CRM (DB) 2137 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Taherpur Police Station Case No. 116 of 2023 dated 15.03.2023 under Sections 498A/304B/34 of the Indian Penal Code, 1860 read with Section 3/4 of the Dowry Prohibition Act, 1961.

And

In the matter of: - **Poritosh Adhikary @ Paritosh Adhikary & Anr.**

...petitioners.

Mr. Prabir Majumder,
Mr. Snehangsu Majumder

...for the petitioners.

Mr. Bidyut Kr. Roy, Ld. Sr. Adv.,
Mr. Pradipta Kr. Ganguly

...for the State.

Learned Advocate for the petitioners has prayed for bail of the petitioners on the ground that the petitioners being the parents-in-law of the victim had no role to play in her committing suicide and also on the ground of the period of detention of the petitioners that is for sixty eight days.

However, on behalf of the State vehement objection has been raised particularly on the basis of the statements of witnesses recorded under Section 161 of the Code of Criminal Procedure, 1973, which show that the neighbours have stated against the present petitioners.

Considering the materials before us, we are, however, not convinced with the fact that custodial trial of the petitioners is

required in this case, which prompts us to allow the petitioners' prayer for bail.

Accordingly, the petitioners, shall be released on bail upon furnishing a bond of Rs. 10,000/- each 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 the condition that they shall appear before the trial Court on each and every date fixed for hearing without fail until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to comply with the conditions as enshrined hereinbefore, the trial Court shall be at liberty to cancel the bail of the petitioners in accordance with law without further reference to this Court.

The application for bail being CRM (DB) 2137 of 2023 is, thus, allowed and disposed of.

(Rai Chattopadhyay, J.)

(Tirthankar Ghosh, J.)