

14.06.2023

Sl. 25

Court No. 29

Sourav

(Allowed)

C.R.M. (DB) 2242 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with G.R. Case No. **3053** of **2022** arising out of **Bagnan** Police Station Case No. **684** of **2022** dated **28.12.2022** under Section **498A/302/201/120B** of IPC and Section **4** of the D.P. Act and Sections **25/27** of the Arms Act.

And

In the matter of: **Sandeep Kumar**

....petitioner.

Mr. Sabir Ahmed
Mr. Sumit Naskar
Ms. Suman Biswas

...for the petitioner.

Mr. S. G. Mukherji, Ld. PP
Mr. Partha Pratim Das
Ms. Manasi Roy

...for the State.

1. Heard learned Counsel for the parties.
2. The petitioner is the brother of the principal accused. The principal accused is alleged to have shot the deceased dead and the present petitioner was not present at that spot. Charge-sheet against the present petitioner has been filed under Section 498A/120B IPC and Section 4 of the D.P. Act. The offence under Section 120B is connected to the offence under Section 302 IPC which has been committed by solitary act of the husband of the deceased.
3. Considered the materials placed by the learned Counsel for the parties including the statement of the witnesses.
4. From the materials on record, we do not find any *prima facie* case under Section 120B IPC against the petitioner. However, there is *prima facie* materials to connect the petitioner under Section 498A IPC and other allied offences.
5. Regard being had to such facts and submissions, factum of

permanent residence of the petitioner, nature of allegation and completion of investigation in the meantime, it is directed that the petitioner shall be released on bail by the learned Additional Chief Judicial Magistrate, Uluberia, Howrah, in Connection with G.R. Case No. 3053 of 2022 arising out of Bagnan Police Station Case No. 684 of 2022 dated 28.12.2022 on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions that i) within seven days of his release on bail, the petitioner shall leave his mobile number with the Inspector-in-Charge, Bagnan P.S. The petitioner on reaching his native place shall drop a pin in Google Map regarding his native place and forward the same to the Inspector-in-Charge, Bagnan P.S., within a month of his release on bail. The petitioner shall file his address statement duly endorsed by the Inspector-in-Charge of the local P.S. of his native place at Jharkhand before the Court in seisin over the matter for the purpose of issuance of summons/notice etc.; ii) the petitioner shall appear before the learned trial Court on each date of substantive hearing subject to the provision of Section 317 Cr.P.C.

6. Accordingly, the prayer for bail is allowed.

7. The application being **CRM (DB) 2242 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

