

03.07.2023.
34.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2339 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jiaganj P. S. Case No.56 of 2023 dated 05.03.2023 under Sections 498A/304B/306 of the Indian Penal Code and charge sheet submitted under Sections 498A/304B/306 of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act.

In the matter of : Kalpana Debnath @ Alpana Debnath.
.... Petitioner.

Mr. G. N. Imrohi.
...for the Petitioner.

Mr. Provas Bhattacharyya,
Mrs. Kum Kum Mitra.
...for the State.

Petitioner is in custody for 109 days. Investigation is complete. She prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Allegations of torture are general and omnibus. Incident occurred six years after marriage. Investigation is complete.

Under such circumstances, we are of the opinion petitioner may be released on bail.

Accordingly, the petitioner viz., Kalpana Debnath @ Alpana Debnath 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, Lalbag, Murshidabad subject to condition that she 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 her bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)