

23.06.2023
Item no.54.
Court No.06.
S. De

CRM (DB) No. 2374 of 2023

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 14.06.2023 in connection with Khanakul Police Station Case No. 297 of 2023 dated 07.05.2023 under Sections 341/448/323/325/306/506/120B/34 of the Indian Penal Code.

And

In the matter of : Pravat Batabyal & Anr.Petitioners.

Mr. Niladri Sekhar Ghosh,
Ms. S. Chatterjee,
Mr. Sourav Mondal,
.....for the Petitioner.

Mr. Anwar Hossain,
Ms. Ratna Ghosh,for the State.

The petitioners are the parents-in-law of the victim.

The allegations are under Sections
341/448/323/325/306/506/120B/34 of the Indian Penal Code.

The petitioners say that they resided at quite some distance from the house of the victim who committed suicide by hanging. The petitioners say that they have no role to play in the matter. They are elderly people. The petitioner no. 1 is about 70 years old. The other petitioner is about 65 years of age.

We have seen the material in the case diary including the statements of persons recorded under Section 161 of the

Code of Criminal Procedure. The petitioners have been in custody for 49 days.

On an overall consideration of the facts and circumstances of the case and the possible extent of complicity of the petitioners in the alleged incident, we are of the view that the petitioners may be enlarged on bail but on stringent conditions.

Accordingly, we direct that the petitioners namely Pravat Batabyal and Purnima Batabyal 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, Arambagh, Hooghly and on further conditions that the petitioners shall not enter the jurisdiction of Khanakul Police Station except for attending Court proceedings and shall provide the address where they shall presently reside to the Officer-in-Charge of the concerned police station. The petitioner no.1 shall also meet the Officer-in-Charge of the concerned police station once in a fortnight until further orders.

The petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial

court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)