

06.07.2023
D/L 35
Ct. No.28
Allowed
(SKB)

CRM (DB) 2671 of 2023

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with S.T. Case No.30 of 2018 arising out of Chanditala P.S. Case No.130 of 2014 dated 02.04.2014 under Sections 498A/302/34 of the Indian Penal Code

And

In the matter of : Shyamal Pandit

... Petitioner

Ms. Jeenia Rudra,
Mr. Megha Chanda

... for the petitioner

Mr. Saswata Gopal Mukherji, Id. P.P.
Mr. Partha Pratim Das,
Mrs. Manasi Roy

... for the State

Petitioner is in custody for one year seven months. It is submitted that he is the brother-in-law of the victim lady. There is no direct evidence that he committed murder.

Learned advocate for the State opposes the bail prayer. He submits that the victim lady had an illicit relationship with the brother-in-law. He had tortured the victim lady.

We have considered the materials on record. Victim lady suffered homicidal death at the matrimonial home. However, the petitioner was not an inmate in the house

at the material point of time. There is no direct evidence that the petitioner had committed the murder.

Under such circumstances and as investigation is complete, we are inclined to grant bail to the petitioner.

Therefore, the petitioner Shyamal Pandit be released on bail upon furnishing a bond of Rs.10,000/-(Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ADJ, FTC, Serampore subject to condition that the said petitioner 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 he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)