

14.07.2023
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allowed

CRM(DB) No. 2702 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat Police Station Case No. 594 of 2022 dated 20.08.2022 under Sections 498A/304B of the Indian Penal Code.

And

In Re : Nilkamal Roy & Kamal Roy & Anr. petitioners

Mr. Prabir Majumder

Mr. Snehansu Majumder

....for the petitioners

Mr. P. K. Datta, learned APP

Mr. Santanu Deb Roy

.... for the State

Learned Counsel for the petitioners submits they are in custody for 307 days. It is also submitted on behalf of the petitioners that there is no progress in the matter. They renew their bail prayer.

Report is placed on record on behalf of the State.

We have considered the materials on record. Petitioners are the in-laws of the victim housewife. They are in custody for over 300 days. Trial has not commenced as yet. Keeping in mind the aforesaid facts and as there is no chance of abscondence, we are inclined to grant bail to them.

Accordingly, we direct that 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 conditions that 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 appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)