

05.09.2023.
20.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3112 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore P.S. Case No.679 of 2023 dated 25.05.2023 under Sections 498A/307/302/34 of the Indian Penal Code.

In the matter of : Rabindra Nath Roy & Ors.

.... Petitioners.

Mr. Arnab Chatterjee,
Ms. Dhanasree Biswas,
Ms. Poulami Bose.

...for the Petitioners.

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

...for the State.

Mr. Santanu Chatterjee,
Mr. Rajendra Kr. Nandi.

...for the de-facto complainant.

1. Petitioners are the in-laws of the victim housewife. Investigation is complete. It is contended charge sheet has been filed under Section 306 IPC. They are in custody for 99 days. They pray for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. Learned Advocate for the de-facto complainant submits victim housewife was subjected to torture and was murdered.
4. We have considered the materials on record. Though the de-facto complainant has alleged murder, charge sheet has been filed under Section 306 IPC i.e. abetment to suicide. Petitioners are the in-laws of victim housewife. There is no chance of abscondence.

5. Keeping in mind the aforesaid circumstances, we are inclined to grant bail to the petitioners.

6. Accordingly, the petitioners viz., 1) Rabindra Nath Roy, 2) Madhumita Roy and Debarati Roy @ Debarati Roy Chakrabarty 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 Chief Judicial Magistrate, Murshidabad at Berhampore subject to condition that they 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.

7. In the event the petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

8. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)