

14.09.2023  
Sl. No.26  
akd  
[ALLOWED]

**C. R. M. (DB) 3570 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.08.2023 in connection with Kulti Police Station Case No.227 of 2023 dated 05.05.2023 under Sections 498A/304B/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.1202 of 2023)

And

In Re: ***Sunil Kumar Paswan @ Sunil Paswan***

... .. Petitioner

Mr. Debapriya Samanta

... .. for the petitioner

Mr. Saswata Gopal Mukherji .. Id. Public Prosecutor

Ms. Faria Hossain

Ms. Mamata Jana

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 132 days. It is further submitted allegation of demand of dowry is out and out false. Petitioner has been falsely implicated. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Statements of witnesses are general and omnibus. Investigation is complete. There is no chance of abscondence of the petitioner. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely ***Sunil Kumar Paswan @ Sunil Paswan***, 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 Chief Judicial Magistrate, Paschim Bardhaman 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.

5. 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.
6. The application for bail, thus, stands allowed.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**