

12.10.2023.
26.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3971 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mogra P.S. Case No.279 of 2023 dated 28.07.2023 under Sections 498A/406/325/354C/307/376/511/34 of the Indian Penal Code.

In the matter of : **Bijoy Dey @ Bijay Dey & Anr.**

.... Petitioners.

Mr. Ansuman Bera.

...for the Petitioners.

Mr. Binay Panda,

Ms. Puspita Saha.

...for the State.

1. Petitioners are in custody for 77 days. It is submitted they have been falsely implicated due to domestic quarrel. They pray for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits petitioners had misbehaved with the sister-in-law.

3. We have considered the materials on record. There was a domestic quarrel. Petitioners are the brothers-in-law of the victim lady. Allegation of misbehaviour requires to be assessed in the light of the aforesaid submission made on behalf of the petitioners. Investigation is complete. There is no chance of abscondene.

4. Hence, we are inclined to grant bail to the petitioners.

5. Accordingly, the petitioners viz, **1) Bijoy Dey @ Bijay Dey** and **2) Prasenjit Dey @ Prosenjit Dey** 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, Hooghly Sadar 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.

6. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)