

20.11.2023
Sl. No.22
akd
[ALLOWED]

C. R. M. (DB) 4155 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.10.2023 in connection with Banshihari Police Station Case No.113 of 2023 dated 16.05.2023 under Sections 498A/304B/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act. (G.R. Case No.495 of 2023)

And

In Re: **Amit Roy**

... .. Petitioner

Mr. Mazhar Hossain Chowdhury

... .. for the petitioner

Mr. Debabrata Chatterjee .. Id. Addl. Public Prosecutor

Mr. Santanu Chatterjee

... .. for the State

1. It is submitted on behalf of the petitioner that there was a romantic relationship between himself and the victim. They married. After two years victim committed suicide. Allegation of demand of dowry is out and out false. 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. There was a romantic relationship between the parties which fructified into marriage. Subsequently it is alleged victim was subjected to torture over demands of dowry. Whether such allegations are probable require to be assessed in the backdrop of the attending circumstances of the case. Investigation is complete. There is no chance of abscondence of the petitioner. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Amit Roy**, 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 Additional Chief Judicial Magistrate, Gangarampur at Buniadpur, Dakshin Dinajpur 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)