

CRM (DB) 4309 of 2023

In Re:- An application for bail under Section 439 of The Code of Criminal Procedure filed on 30.10.2023 in connection with Kotwali P.S. Case No.250 of 2023 dated 20.03.2023 under Sections 498(A)/304(B)/34 of the Indian Penal Code, 1860.

In the matter of : **Sudip Mukherjee** ... Petitioner

Ms. Karabi Roy

...For the Petitioner

Mr. Narayan Prasad Agarwal

Mr. Pratick Bose

... For the State

1. Learned counsel for the petitioner submits that his client is the father-in-law of the victim who is in custody for 50 days. He further submits that the victim was suffering from depression and had committed suicide, a coordinate Bench of this Court has enlarged the husband on bail on July 28, 2023. He prays bail for the petitioner also.

2. Learned counsel for the State opposes the prayer for bail and submits that the victim had committed suicide within 11 days of her marriage due to the torture by her in-laws.

3. We have heard the learned counsel for the parties and have perused the materials on record. The victim girl has committed suicide at her paternal home. The veracity of the allegations and/or counter-allegations will be assessed at

the time of trial. There is no chance of the petitioner absconding, besides the investigation is complete. We, therefore are of the view that the custodial interrogation of the petitioner is no longer necessary, as such we are inclined to grant bail to the petitioner.

5. Accordingly, we direct that the petitioner shall 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, Nadia at Krishnanagar, subject to conditions that the petitioner 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.

6. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. The application for bail, being CRM (DB) 4309 of 2023 is allowed and accordingly disposed of.

(Raja Basu Chowdhury, J.)

(Biswajit Basu, J.)