

13.01.2023
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allowed

CRM(DB) No. 4452 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat Police Station Case No. 669 of 2022 dated 21.09.2022 under Sections 498A/304B/34 of the Indian Penal Code.

And

In Re : Sahadeb Chakraborty & Anr. petitioners

Ms. Sananda Bhattacharyya
.....for the petitioners

Mr. P. K. Datta, learned APP
Mr. Santanu Deb Roy
..... for the State

Learned Counsel appearing for the petitioners submits they are in custody for 114 days. Investigation is complete. They pray for bail.

Learned Counsel appearing for the State opposes the prayer for bail and submits victim housewife committed suicide due to torture within four years of marriage.

We have considered the materials on record. Allegations of torture are general and omnibus in nature. Investigation is complete. Balancing the nature of accusation with the period of detention suffered by the petitioners we are inclined to grant bail to them.

Accordingly, we direct that the petitioners viz. 1) Sahadeb Chakraborty and 2) Sukdeb Chakraborty 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 Additional Chief Judicial Magistrate, Ranaghat,

Nadia, subject to conditions that petitioners 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.

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

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)