

21.12.2023.  
70.  
Ct.No.28.  
as  
(Allowed)

**C.R.M. (DB) 4698 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hirabandh P.S. Case No.42 of 2022 dated 09.08.2022 under Sections 498A/304B/302/341 of the Indian Penal Code and charge sheet submitted under Sections 498A/304B/406/34 of the Indian Penal Code.

In the matter of : **Dulal Kumbhakar & Anr.**

.... Petitioners.

Mr. Arkaprabho Roy.

...for the Petitioners.

Mr. Arijit Ganguly,  
Ms. Baishakhi Chatterjee.

...for the State.

1. Petitioners are the parents-in-law of the victim housewife. They are in custody for more than one year and four months. There is little progress in trial. They pray for bail.
2. Learned Advocate for State opposes the bail prayer. He submits trial is in progress.
3. We have considered the materials on record. Petitioners are in custody for more than one year. Trial has not progressed appreciably.
4. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioners.
5. Accordingly, the petitioners 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, Khatra, Bankura 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.)**