

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

05.12.2023.
3/tkm

C.R.M. (DB) 669 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tufanganj P.S case no. 705 of 2023 dated 12.8.2023 under sections 498A/302/201/34 of the IPC read with sections 3/4 of the DP Act

and

Allowed

In the matter of : Anowar Pramanik & Ors.

..... Petitioners

Mr. H Saha Podder

Ms. Mousumi Das

...for the Petitioners

Mr. A S Chakraborty, Id APP

Mr. Arjun Choudhury

...for the State

1. Petitioners are in custody for 113 days. It is submitted they are the in-laws of the victim housewife. They reside at Cooch Behar and were not present at the time when the incident occurred. They pray for bail.

2. Learned lawyer for the State opposes the bail prayer. He contends petitioners subjected the victim to torture. She was murdered at Delhi.

3. We have considered the materials on record. The couple used to reside at Delhi. There the victim wife suffered homicidal death. Statement of the child of the deceased does not implicate the petitioners who are the in-laws of the victim lady in the murder. In view of the extent of complicity of the

petitioners in the crime and the period of detention suffered by them, we are inclined to grant bail to the them.

4. Accordingly, the petitioners 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 ACJM, Tufanganj on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

6. The application being CRM (DB) 669 of 2023 is disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)