

18.01.2024
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allowed

CRM (DB) 64 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Indpur PS case no. 90 of 2022 dated 12.8.2022 under sections 498A/304B/34 IPC

and

In Re : Pratima Tantubay & Anr. petitioners

Mr. Arkaprabho Roy
Mr. Anish Roy

..... for the petitioners

Mr. Arijit Ganguly
Mr. Arup Sarkar

..... for the State

1. Inadvertent typographical errors have been crept into the order dated 10.01.2024. Accordingly, order is recalled and the following order is passed.
2. Learned Counsel for the petitioners contends relations of the victim lady have not supported the prosecution case. They are in custody for more than a year. They pray for bail.
3. Learned lawyer for the State submits victim lady committed suicide within four months of marriage.
4. We have considered the materials on record. None of the relations who have been examined as PWs 1 to 4 have supported the prosecution case with regard to torture over demands of dowry.

5. In view of the aforesaid development and the period of detention suffered by the petitioners, we are inclined to grant bail to them.
6. 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, Khatra, Bankura 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.
7. 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.
8. The application being CRM (DB) 64 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)