

04.03.2024
25
sdas
allowed

CRM(DB) No. 587 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nakashipara Police Station Case No. 887 of 2023 dated 17.10.2023 under Sections 498A/302/304B/328/34 of the Indian Penal Code.

And

In Re : Pintu Das & Ors. petitioners

Mr. Kusal Kumar Mukherjee

Mr. Narattam Acharyya

....for the petitioners

Mr. Neguive Ahamed, learned APP

Mr. Amanul Islam

.... for the State

1. Petitioner no. 1 is the husband of the victim lady. Petitioner nos. 2 and 3 are her parents-in-law. Petitioners are in custody for 133 days. It is submitted that victim lady and her father consumed poison at her parental home. Petitioners have been falsely implicated. They pray for bail.

2. Learned Counsel for the State opposes the prayer for bail and contends petitioners had given medicine to the victim and her father. They returned home and consumed medicine. They fell ill and died.

3. We have considered the materials on record. Petitioners are the husband and parents-in-law of the victim lady. Prior to the incident victim returned to her parental home with her father. It is alleged a bottle of medicine had been handed over to them by the petitioners. They consumed the medicine two days after the

victim returned to her parental home. Credibility of the allegation of supply of medicine by the in-laws require to be assessed in the light of the aforesaid facts during trial. Investigation is in progress. There is no chance of abscondence. Accordingly, we are inclined to grant bail to the petitioners.

4. Accordingly, we direct that 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, Nadia at Krishnanagar, subject to condition that petitioners 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.

5. In the event 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.

6. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)