

12.04.2024
tkm/ct 28
sl no. 91

C.R.M. (DB) 1121 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chakda P.S case no. 100 of 2024 dated 4.2.2024 under sections 498A/306/34 IPC
and

Allowed

In Re : Ajit Sarkar & Anr.

..... petitioners

Mr. S K Das
Ms. S Pan

..... for the petitioners

Mr. Sekhar Barman

..... for the State

1. Petitioner no. 1 is the husband and petitioner no. 2 is the brother-in-law of the victim lady. it is contended out of depression victim committed suicide. They have been falsely implicated in the case.

2. Learned lawyer for the State opposes the bail prayer.

3. We have considered the materials on record. Allegations of torture are general and omnibus. Victim committed suicide nine years after marriage. Statutory presumptions under section 113A and 113B of the Evidence Act are not attracted. There is no chance of abscondence. Investigation is complete.

4. Under such circumstances, we are inclined to grant bail to the petitioners.

5. 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 Kalyani Nadia 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.

6. In the event they fail to do so or resorts to dilatory tactics and delay the trial, trial court shall be at liberty to cancel their bail without reference to this court.

7. The application being CRM (DB) 1121 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)