

30.05.2024
Item No.19
Ct. No. 8
CHC/ S.De
Allowed
(VACATION BENCH)

C.R.M.(DB) 1731 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Tamluk** Police Station Case No. **287** of **2024** dated **29.03.2024** under Sections **498A/406/302/34** of the Indian Penal Code read with Sections **3/4** of the Dowry Prohibition Act.

And

In the matter of : Ranjit Kundu

..... petitioner

Mr. Navanil De,
Mr. Subhrajit Dey
....for the petitioner

Mr. Suman De,
Mr. Aritra Bhattacharya
....for the State

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 61 days and it was he who informed the parents of the deceased.

According to the learned advocate for the petitioner, the unfortunate incident occurred after 13 years of marriage. As such, considering the detention, on any stringent condition petitioner may be released on bail.

Mr. De, learned advocate appearing for the State submits that the case is under Section 302 of the Indian Penal Code, and the investigation of the case is still in progress.

We have considered the materials in the Case Diary and we find that *prima facie*, medical opinion is that the unfortunate incident was suicidal in nature. The incident admittedly is after 13 years of marriage.

Having considered the facts and circumstances, after the petitioner being in custody for more than two months, we are inclined to release the petitioner on bail.

Accordingly, the petitioner shall furnish a bond of Rs.10,000/-(Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of Learned Chief Judicial Magistrate, Purba Midnapore at Tamluk. If on bail, the petitioner shall meet with the Investigating Officer of the case once in a week till the submission of the charge-sheet. Investigating Officer may advance his further prayer for imposing condition after submission of his report under Section 173 of the Cr.P.C. before the learned Magistrate or the learned Trial Court who are in seisin of the matter.

Petitioner, till submission of the charge-sheet will not leave the jurisdiction of the District of Purba Midnapore without the permission of the Investigating Officer of the concerned police station.

Any violation of the aforesaid conditions will entitle the Learned C.J.M., Purba Midnapore to cancel the bail for violation of the conditions without further reference to this Court.

This application for bail is, thus, allowed.

CRM(DB) 1731 of 2024 is disposed of.

(Tirthankar Ghosh, J.)

(Biswaroop Chowdhury, J.)