

45. 12.08.2024
Court
No.6 (Tanmoy)

Allowed

CRM (DB) 2508 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973/ Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Ranaghat** Police Station Case No. **227/2024**, dated **28.3.2024** under Sections **498(A)/304B/306/34** of the Indian Penal Code read with Sections **3/4** of the Dowry Prohibition Act.

And

In the matter of: - **Nepal Mahato @ Nepal @ Biswajit Mahato**

...petitioner.

Mr. Sumanta Das

...for the petitioner.

Mr. Antarikhya Basu

Ms. Eshita Dutta

...for the State.

1. Learned lawyer for the petitioner submits petitioner is in custody for 131 days. He submits he has been falsely implicated. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer and contends victim/housewife committed suicide within one and half years of marriage.
3. We have considered the materials on record. Statements of torture are general and omnibus. Investigation is complete. There is no chance of abscondence.
4. Under such circumstances, we are inclined to grant bail to the petitioner.
5. Accordingly, we direct the petitioner, namely, **Nepal Mahato @ Nepal @ Biswajit Mahato** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction

of the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia, subject to condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

6. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.
7. The application for bail is, thus, allowed and disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)