

CRM (DB) 2898 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of BNSS in connection with **Pandaveswar Police Station** Case No. **111 of 2024** dated **28.07.2024** under Sections **498A/304(B)/406/34** of the Indian Penal Code.

- A n d -

In the matter of : Sukhamoy Ghosh @ Sukhamay Ghosh & Anr.

.... Petitioners.

Mr. Kollol Mondal,
Mr. S. Karmakar,
Mr. K. Ray,
Mr. Souvik Das,

... For the Petitioners.

Mr. Debasish Roy,
Mr. Arijit Ganguly,
Mr. Koushik Kundu,

... For the State.

1. Heard the learned lawyers for both the parties.
2. The petitioners are the in-laws of the housewife. It is contended that victim was residing at her parental home and prayer for dissolution of marriage on mutual consent was filed in January, 2024. Thereafter the victim died due to natural causes at her parental home. They have been falsely implicated and pray for bail.
3. Learned Advocate for the State opposes the bail prayer.
4. We have considered the material on record. It appears that the victim was residing at her matrimonial home. It is to be assessed during trial whether the cause of death was natural or not.
5. Keeping in mind the aforesaid facts and as there is no chance of abscondence, we are inclined to enlarge the petitioner on bail.

6. Accordingly, we direct that the petitioner, namely, **Sukhamoy Ghosh @ Sukhamay Ghosh and Akshay Ghosh @ Akshoy Ghosh**, 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, Durgapur and on further conditions that the petitioners shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

7. In the event the petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this court.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)