

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

**24.05.2024.
18.
as
(Allowed)**

C.R.M. (DB) 262 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Matigara P.S. Case No.108 of 2024 dated 17.02.2024 under Sections 498A/304B/323/506 of the Indian Penal Code.

In the matter of : **Biplab Roy.**

.... Petitioner.

Mr. Hillol Saha Podder,
Ms. Mousumi Das.

...for the Petitioner.

Mr. Ujjwal Luksom,
Ms. Namrata Das.

...for the State.

1. Petitioner contends allegations of torture over demands of dowry are false. Investigation is complete He is in custody for 97 days. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. Allegations of torture are general and omnibus. Victim housewife committed suicide five years after marriage. Whether there is a live link between the allegations of torture over demands of dowry and her unnatural death has to be assessed during trial. Investigation is complete. There is no chance of abscondence.
4. Under such circumstances, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner **Biplab Roy** 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, Siliguri, Darjeeling subject to condition that he 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.

6. In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)