

04.11.2024
Item no. 18.
Court No.1.
AB
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (DB) 497 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Rajganj Police Station Case No.105 of 2024 Dated 25.03.2024 under Sections 498A/304B/34 of the Indian Penal Code

And

In the matter of : Sudip Kuri

.....Petitioner.

Mr. Supritam Nag,
Ms. Trishna Roy,
Mr. Arko Sarkar for the Petitioner.

Mr. Abhijit Sarkar,
Ms. Namrata Das for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner is the brother-in-law (husband's brother) of the victim lady. He says that he is in custody for 142 days. The father-in-law of the victim lady, namely, Dulal Kuri was granted bail by a Coordinate Bench by an order dated September 25, 2024, passed in CRM (DB) 486 of 2024.
2. The petitioner says that there is no specific allegation against him in the statements of witnesses recorded under Sections 161/164 Cr.P.C. He stands exactly on the same footing as Dulal Kuri.

3. Opposing the prayer for bail, learned State Advocate says that all the family members are involved in the alleged crime. They used to torture the victim lady, which drove her to commit suicide by hanging.
4. We have seen the material in the case diary. The statements of the witnesses are all general in nature excepting that the husband of the victim lady has been specifically implicated by both the victim's sister and father.
5. In view of the fact that the petitioner appears to be similarly circumstanced as the father-in-law of the victim lady, who has been granted bail by this Court and there being no specific allegation against the petitioner and also keeping in mind the period of detention of the petitioner, we are inclined to allow the prayer of the petitioner.
6. Accordingly, we direct that the petitioner, namely **Sudip Kuri** 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 Fast Track Court, 1st Court at Jalpaiguri, and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.

7. The petitioner 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 and/or commit any cognizable offence in any manner whatsoever.
8. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.
9. The application for bail is, accordingly, allowed.
10. Needless to say that the observations made in this order are only for the purpose of disposal of the bail petition and it will have no effect on the trial.
11. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)

(Arijit Banerjee, J.)

