

02.09.2025

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jb.

jdt.

Allowed

CRA (SB) No. 64 of 2025

In Re : An appeal under Section 14A (2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act in connection with Beldanga Police Station case no. 790 of 2023 dated 21.10.2023 under Sections 498A/354/376/307/506 of the Indian Penal Code and Sections 3(1)(r)/3(1)(s)/3(1)(w)/3(2)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

And

In Re : XXX & Anr.

Mr. Dhananjay Banerjee
Jishan Iqbal Hossain
Mr. Pralay Hazra

... For the Appellants.

Mr. Saibal Bapuli
Mr. Soumya Basu Roy Chowdhuri

... For the State

Mr. Amit Dey

... For the Defacto Complainant

The appellants are in custody for more than a year and pray for bail. They are the husband and father in law of the victim.

Learned counsels for the State and the defacto complainant oppose the prayer.

I have considered the material on record. The allegation against the appellants is that they have tortured and abused the victim primarily because she belongs to the Scheduled Caste/Scheduled Tribe. It prima facie appears that the alleged hurling of abuses took place within the four corners of the matrimonial house of the victim and not in a public place or within public view. Trial has commenced. Further detention of the appellants is not required for the

purpose of custodial interrogation. The appellants may be released on bail.

Accordingly, the prayer for bail is allowed.

The appellants shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Murshidabad at Berhampore subject to conditions that they shall remain outside the jurisdiction of Beldanga Police Station except for the purpose of appearing before the learned trial Court on every date of hearing. They shall furnish the address where they shall presently reside before the learned trial Court, the investigating officer and the concerned officer in charge of the police station under whose jurisdiction they shall presently reside. They shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. They shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the appellants fail to adhere to any of the conditions stated hereinabove, the learned trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The appeal being CRA (SB) 64 of 2025 is disposed of.

Case diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)