

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

21.02.2025
Court No.01
rpan/23

CRM (DB) 129 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Cooch Behar Kotwali Police Station Case no. 1088 of 2024 dated 26.10.2024 under Sections 85/80/3(5) of the Bharatiya Nyaya Sanhita, 2023;

And

In Re : **Sushanta Barman & Another**

- Petitioners

Mr. Hillol Saha Podder
... for the petitioners.

Mr. Nilay Chakraborty, Ld. APP
Mr. Aniruddha Biswas
... for the State.

Mr. Podder, learned advocate appearing for the petitioners submits that the petitioner nos. 1 and 2 respectively are the husband and father-in-law of the victim lady. They have been falsely implicated. The victim lady committed suicide. The petitioners have suffered incarceration for about 98 days and as such, further detention may not be necessary since upon completion of investigation chargesheet has been submitted.

Mr. Chakraborty, learned Additional Public Prosecutor opposes the petitioners' prayer and submits that it is a case of dowry death. The unfortunate incident occurred within seven months of the marriage of the petitioner no.1 with the victim lady. There are strong incriminating materials on record against the petitioners and that as such, their prayer needs to be rejected.

Having heard the learned advocates appearing for the parties and considering the materials on record, the nature of

accusations against the petitioner no.2, who happens to be the father-in-law of the deceased lady and the period of detention already suffered by him, we are of the opinion that his further detention is not necessary.

Accordingly, we direct that the petitioner, namely, **Ramesh Barman** 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 Chief Judicial Magistrate, Cooch Behar with further conditions that he shall attend the learned trial Court on all the dates as fixed for hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial Court would be at liberty to cancel his bail without any further reference to this Court.

However, we find strong incriminating materials on record against the petitioner no.1, namely, **Sushanta Barman**, who is the husband of the victim and that as such, his prayer for bail is rejected at this stage.

The application for bail, being CRM (DB) 129 of 2025 is partly allowed.

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

(Prasenjit Biswas, J.)

(Tapabrata Chakraborty, J.)