

**CALCUTTA HIGH COURT CIRCUIT BENCH
AT JALPAIGURI**

CRM (DB) 91 of 2024

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : Safar Pramanik @ Chofar Pramanik

.....Petitioner

**Mr. Hillol Saha Podder
Ms. Mousumi Das**

.....for the Petitioner

**Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Sourav Ganguly**

.....for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Tufanganj P.S. Case No. 705 of 2023 dated 12.08.2023 under Sections 498A/302/201/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, 1961.

Learned advocate appearing for the petitioner submits that the petitioner married the victim 12 years ago and he has two children. The allegations levelled against the petitioner are unfounded and he has been falsely implicated. Other co-accused persons had already been granted bail. Upon completion of investigation chargesheet has been submitted and as such, further detention of the petitioner, who is in custody for about 146 days, may not be necessary and he may be granted bail on any stringent condition.

Mr. Ganguly, learned advocate appearing for the State has drawn out attention to the statement of the victim's brother, as recorded under Section 164 of the Code and the *post mortem* report.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, from the *post mortem* report it appears that the doctor did not find any external injuries and such finding is contradictory to the statement of the victim's brother, as recorded under Section 164 of the Code.

In view thereof and as upon completion of investigation chargesheet has already been submitted, we are of the opinion, that further detention of the petitioner is not necessary in the facts and circumstances of the case.

Accordingly, we direct that the petitioner, namely, **Safar Pramanik @ Chofar Pramanik** 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 a local, to the satisfaction of the learned Additional Sessions Judge, Tufanganj with a further condition that the petitioner shall meet with the officer-in-charge, Tufanganj Police Station once a fortnight till the conclusion of the trial and shall attend the learned Trial Court on all the dates as fixed for hearing.

It is further directed that the petitioner shall not tamper with evidence and/or influence the witnesses in any manner whatsoever.

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

The application for bail, being **CRM (DB) 91 of 2024**, is **disposed of**.

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

(Biswaroop Chowdhury, J.)

(Tapabrata Chakraborty, J.)