

12.11.2020
Item no. 42
Ct.8
KAUSHIK/CHC

Allowed

C.R.M. No.9112 of 2020

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Khejuri Police Station Case No. 49 of 2020 dated 05.03.2020 under Sections 498A/304B of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

And

In the matter of:-

Sankar Manna

... Petitioner

Mr. Amitabha Karmakar

.. for the petitioner

Ms. Zareen N. Khan,
Mr. M.F.A. Begg

..for the State

Petitioner is in custody for last 91 days as per submission of learned counsel for the petitioner who happens to be the husband of the victim/deceased wife.

It is submitted that the victim attempted to commit suicide and got burn injuries and succumbed to injuries on 17.03.2020.

We have gone through the relevant statements made by the victim herself while she was undergoing treatment who candidly stated that her husband attempted to rescue her. This is what is reflected from the order no.03 dated 06.10.2020 passed in

Criminal Misc. Case No.66 of 2020 by the Additional Sessions Judge, 1st Court, Contai-in-Charge that the petitioner husband sustained burn injury while rescuing his deceased wife.

In the context above, we do not find any reason for further custody of the petitioner.

Accordingly, we allow the bail application of the petitioner.

The petitioner is allowed to find bail of Rs.5,000/- (Rupees Five Thousand only), with two sureties of like amount, one of whom must be local, to the satisfaction of the Learned A.C.J.M, Contai and on condition that he shall not tamper with evidence and/or intimidate the witnesses. He shall meet the Investigating Officer as and when called for.

With these observations, CRM 9112 of 2020 is disposed of.

Learned appropriate Trial Court as well as all concerned authorities shall act in terms of the copy of the order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Shivakant Prasad, J.)

