

04.12.2020
tkm
sl no. 33

**C.R.M. 9851 of 2020
(via video conference)**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Salar P.S. Case No. 126 of 2020 dated 29.6.2020 under Sections 498A/304B of the Indian Penal Code

And

Allowed In Re : Nasim Sk @ Mohammad Nasim petitioner

Ms. M Gomes

Mr. P S Das

..... for the petitioner

Mr. S G Mukherjee

Mr. Aniket Mitra

..... for the State

It is submitted on behalf of the petitioner that the victim housewife committed suicide out of depression. He is in custody for 97 days and investigation is complete.

Learned lawyer for the State opposes the prayer for bail and submits that the victim housewife was tortured and suffered unnatural death due to burns within seven years of marriage.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission made on behalf of the petitioner with regard to cause of death which is to assessed in the course of trial and in view of the period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 ACJM, Kandi, Murshidabad on condition that the petitioner shall appear before the trial court on every date of hearing until further

orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM 9851 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)