

07.12.2021
Sl. No.11
akd
[ALLOWED]

C. R. M. 5368 of 2021

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.08.2021 in connection with Jagatballavpur Police Station Case No. 26 of 2021 dated 28.01.2021 under Sections 498A/304B/34 of the Indian Penal Code. (G.R. Case No.496 of 2021)

And

In Re: ***Sankar Manna @ Shankar Manna***

... .. Petitioner

Mr. Kallol Mondal
Mr. Krishan Ray
Ms. Amrita Chel
Mr. Anamitra Banerjee

... .. for the petitioner

Mr. Bidyut Kr. Roy
Ms. Rita Datta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 313 days. It is further submitted that the victim died due to accidental drowning.

Learned advocate appearing for the State opposes the prayer for bail and submits that the victim was tortured over dowry and suffered unnatural death within 3¹/₂ years of marriage.

We have considered the materials on record. Post-mortem report shows that the victim died due to drowning. In view of the aforesaid facts, period of detention suffered by the petitioner and as investigation is complete, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Sankar Manna @ Shankar Manna***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Howrah (Sadar) subject to condition

that the said 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 for bail, thus, stands **allowed**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)