

14.12.2022
Sl. No.16
akd
[ALLOWED]

C. R. M. (DB) 4381 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.12.2022 in connection with Nandakumar Police Station Case No.143 of 2021 dated 01.04.2021 under Sections 498A/304B of the Indian Penal Code. (G.R. Case No.816 of 2021)

And

In Re: **Nandan Tumki**

... .. Petitioner

Mr. Amal Krishna Samanta

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor

Mr. Aniket Mitra

... .. for the State

Petitioner is the husband of the victim-housewife. It is submitted on behalf of the petitioner that he is in custody for about 154 days. Investigation is complete.

Learned Advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Victim committed suicide at the matrimonial home. Whether there is a livelink between the alleged torture on account of dowry and unnatural death requires to be assessed during trial. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Nandan Tumki**, 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, Purba Medinipur 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**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)