

23.12.2022
tkm/ct 28
sl no. 96

C.R.M. (DB) 4607 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Taldangra P.S case no. 71 of 2022 dated 7.9.2022 under sections 498A/302 IPC and charge sheet submitted under sections 498A/306 IPC
And

Allowed

In Re : Uttam Kumar Dey petitioner

Mr. Samiran Mandal
Mr. A Dan
Mr. N Samanta

..... for the petitioner

Mr. S G Mukherjee, ld PP
Mr. Aniket Mitra

..... for the State

Petitioner is in custody for 107 days. It is submitted incident occurred 18 years after marriage. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered materials on record. Incident occurred 18 years after marriage. Statutory presumption under section 113A of the Evidence Act is not attracted to the case. Investigation is complete.

Under such circumstances and in view of the period of detention suffered by the petitioner, 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, Khatra, Bankura, on condition that the petitioner shall appear before the trial court on every date of hearing 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 (DB) 4607 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)