

13.03.2023.
113.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 839 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mandarmoni Coastal P. S. Case No.60 of 2020 dated 02.10.2022 under Sections 498A/302 of the Indian Penal Code and charge sheet submitted under Sections 498A/306/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

In the matter of : Nandagopal Chanda.

.... Petitioner.

Mrs. Pampa Dey Dhabal,
Mr. Nikhil Kr. Gupta.

...for the Petitioner.

Mr. Saswata Gopal Mukherji, ld. P.P.,
Mr. Partha Pratim Das,
Ms. Manasi Roy.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Incident occurred 8 years after marriage. Statutory presumption under Section 113A of the Evidence Act is not attracted in the case.

In the light of the aforesaid facts, period of detention suffered by the petitioner i.e. 120 days and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Nandagopal Chanda shall 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 Additional Chief Judicial Magistrate, Purba Medinipur at Contai subject to condition that he 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)