

07.07.2023
Sl. No.34
akd
[ALLOWED]

C. R. M. (DB) 2697 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.07.2023 in connection with Nanda Kumar Police Station Case No.169 of 2023 dated 18.05.2023 under Sections 307/323/34/406/498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act. (G.R. Case No.1540 of 2023)

And

In Re: ***Jagannath Kandar***

... .. Petitioner

Mr. Amal Krishna Samanta

... .. for the petitioner

Mr. Bidyut Kumar Roy

Ms. Rita Datta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about two months. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. It is contended petitioner-husband and in-laws administered poison to the victim-housewife. Medical papers show victim-housewife consumed poison herself. In view of the aforesaid dichotomy and 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 ***Jagannath Kandar***, 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.)