

19.12.2023
tkm/ct 28
sl no. 154

C.R.M. (DB) 4552 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Daspur P.S Case no. 483 of 2023 dated 25.8.2023 for the offence punishable under section 498A/304B/406/34 IPC and sections 3/4 of the DP Act

And

Allowed

In Re : Tanumay Bera

..... petitioner

Mr. Sabir Ahmed
Mr. B Hutait
Ms. Suman Biswas

..... for the petitioner

Mr. Suman De

..... for the State

1. Petitioner is in custody for 116 days. He contends investigation is complete. He prays for bail.
2. Learned lawyer for the State submits victim lady died within 1½ year of marriage. She was subjected to torture.
3. We have considered the materials on record. Allegations of torture are general and omnibus. Investigation is complete. There is no chance of abscondence. Balancing the nature of accusation with the period of detention suffered by the petitioner we are inclined to grant bail to the petitioner.
4. 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 Ghatal 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.
5. 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.
6. The application being CRM (DB) 4552 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)