

05.03.2024
tkm/ct 28
sl no. 59

C.R.M. (DB) 706 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Taherpur P.S case no. 502 of 2023 dated 6.10.2023 under sections 498A/304B/34 IPC
and

Allowed

In Re : Manas Sarkar @Chattu @Chottu

... petitioner

Mr. Arnab Mukherjee
Mr. Hiranmoy Debnath
Ms. S Manna

..... for the petitioner

Mr. Debabrata Chatterjee
Mr. Arif Ekbal Molla

..... for the State

1. Petitioner is in custody or 152 days. He submits investigation is complete. He prays for bail.

2. Learned lawyer for the State opposes the bail prayer. He refers to the dying statement of the victim.

3. We have considered the dying statement of the victim. She was unhappy as her husband was alcoholic. There is no reference to demand of dowry. Whether the ingredients of the offence under section 304B IPC are satisfied in the light of the aforesaid dying declaration requires to be assessed during trial. Investigation is complete. There is no chance of abscondence.

4. Under such circumstances, we are inclined to grant bail to the petitioner.

5. 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 Ranaghat, Nadia 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.

6. 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.

7. The application being CRM (DB) 706 of 2024 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)