

09.05.2024
tkm/ct 28
sl no. 58

C.R.M. (DB) 1478 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Jhargram P.S case no. 2 of 2024 dated 3.1.2024 under section 302 IPC
and

Allowed

In Re : Manas Tiwari petitioner

Mr. S Das Mahapatra
Ms. M Sinha

..... for the petitioner

Mr. Bibaswan Bhattacharya
Mr. Nazmut Touhid

..... for the State

Mr. Sujoy Sarkar

1. Petitioner is in custody for 128 days. He submits that the incident occurred in the course of sudden and grave provocation. Petitioner's father was assaulting his mother. In order to protect her, petitioner stuck him with a knife and he died. He prays for bail.
2. Learned lawyer for the Sate opposes the bail prayer.
3. We have considered the materials on record. In view of the aforesaid submission made on behalf of the petitioner it appears that the petitioner acted due to sudden and grave provocation. 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 CJM Jhargram 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 do so or resorts to dilatory tactics and delay the trial, trial court shall be at liberty to cancel his bail without reference to this court.

7. The application being CRM (DB) 1478 of 2024 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)