

C.R.M. 9839 of 2020

(Through Video Conference)

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Ranaghat G.R. P.S. Case No. 18 of 2019 dated 03.05.2019 under sections 498A/306 of the Indian Penal Code.

And

In the matter of : Ratan Mahato

Ms. Minoti Gomes
Mr. Partha Sarathi Das

... ... for the petitioner

Mr. Prasun Dutta, APP
Mr. Subrata Roy

... ... for the State

It is submitted on behalf of the petitioner that he is in custody for 586 days. He renews his prayer for bail. It is further submitted that the petitioner was unable to avail of interim bail which was extended to him on humanitarian grounds due to pandemic conditions.

Learned lawyer for the State opposes the prayer for bail and submits that petitioner has been named in the suicide note. Bail prayer of the petitioner was rejected earlier.

We have perused the extract of the suicide note. Petitioner appears to have abused the victim in filthy language and had driven her out from the matrimonial home. Whether such conduct would constitute active abetment of suicide of the victim or not may be assessed at the appropriate stage of the proceeding. However, in view of the aforesaid factual

matrix and the protracted period of detention already suffered by the petitioner and as there is little possibility of trial concluding in the near future, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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, Ranaghat, Nadia subject to the condition that the 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 the petitioner fails to do so without 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, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)