

C.R.M. 10693 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 Hanskhali P.S. Case No. 549 of 2020 dated 22.10.2020 under section 306 of the Indian Penal Code.

And

In the matter of : Sumitra Biswas

Mr. Kaustav Manna
Ms. Sutapa Upadhyay

... ... for the petitioner

Ms. Sukanya Bhattacharya
Mr. Nirupam Dhali

... ... for the State

It is submitted on behalf of the petitioner that she is the wife of the deceased. Ingredients of the offence punishable under section 306 of the Indian Penal Code are not disclosed in the case. She is in custody for 63 days.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Whether conduct of the petitioner would amount to abetment to suicide may be assessed at the appropriate stage of the proceeding.

In view of the facts and circumstances of the case including the period of detention suffered by the petitioner, 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 her 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.)