

09.12.2021
tkm/ct 28
sl no. 75

C.R.M. 5566 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Dhantala P.S case no. 167 of 2021 dated 23.4.2021 under sections 306/34 IPC
And

Allowed

In Re : Jyotika Biswas & Anr. petitioners

Ms. S Bhattacharyya
..... for the petitioner
Ms. Z N Khan
Ms. Sreeparna Das
..... for the State

Petitioners are in custody for more than 217 days. Investigation is complete. It is submitted that the victim committed suicide out of depression. Ingredients of offence punishable under section 306 IPC are not satisfied.

Learned lawyer for the State opposes the prayer for bail and submits that the victim left behind a suicide note.

We have considered the materials on record including the suicide note. Victim stated she was unhappy with the marriage and the petitioners being wife and mother-in-law of the victim used to demand money from the latter.

Whether aforesaid circumstances would constitute abetment to suicide or not may be assessed in the course of trial.

However, in the fact and circumstances of the case and period of detention suffered by the petitioners, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount, one of whom must be local to the satisfaction of the

learned ACJM, Ranaghat, Nadia on condition that the petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM 5566 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)