

08.12.2021
cm/ct 28
sl no. 58

C.R.M. 5881 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Serampore P.S Case No. 194 of 2019 dated 17.5.2019 under Sections 498(A)/304B of the Indian Penal Code, 4 of the POCSO Act.

And

Allowed

In Re : Suman Das @ Ajoy Das

..... petitioner

Mr. Sudip Ghosh Chowdhury
Mr. Argha Das
Mr. Abhishek Bose

..... for the petitioner

Mr. N. Ahmed

..... for the State

Petitioner is in custody for two years and six months. It is submitted that the victim girl married the petitioner pursuant to a love affair. Subsequently, out of depression she committed suicide. It is further submitted that co-accused has been enlarged on bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Allegations of torture are general and omnibus in nature. Cause of suicide requires to be assessed in the light of the aforesaid submissions made on behalf of the petitioner in the course of trial. There is a little progress in the trial of the case.

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

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, Serampore 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.

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.

The application being CRM 5881 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)