

21.12.2021
cm/ct 28
sl no. 119

C.R.M. 7095 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Dankuni P.S Case No. 152 of 2021 dated 21.05.2021 under Sections 498(A) 304B/34 of the Indian Penal Code.
And

Allowed

In Re : Ramesh Mahato

..... petitioner

Md. Aasif Iqbal

..... for the petitioner

Mr. S.G. Mukherjee

Mr. Partha Pratim Das

Ms. Manasi Roy

..... for the State

It is submitted on behalf of the petitioner that he is in custody for 115 days. Investigation is complete. Victim had committed suicide.

Learned lawyer for the State opposes the prayer for bail and submits that she had been murdered by her husband.

We have considered the materials on record. Post mortem report shows that victim died due to hanging which appears to be suicidal. In view of the aforesaid fact and the period of detention suffered by the petitioner, we are of the opinion further detention of the petitioner is not necessary, he may be granted bail.

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, at 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 7095 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)