

21.12.2021
SL No.41
Court No.1
AJ/SM

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**CRM 1161 of 2021
(Via video Conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with G.R. Case No. 369 of 2021 arising out of Tufanganj Police Station Case No.263 of 2021 dated 14.03.2021 under Sections 306/34 of the Indian Penal Code.

And
In the matter of : **Achinta Roy.**
... .petitioner.

Mr. Arijit Ghosh.
... For the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.,
... For the State.

The petitioner is in custody for 43 days.

The learned Counsel for the petitioner submits that the petitioner has been falsely implicated and is innocent.

The learned Counsel for the State opposes the prayer for bail. It is further submitted that the petitioner is the victim of triangular love and the suicide note mentioned the name of the petitioner.

Having considered the materials available in the case diary and the contents of the suicide note which essentially implicates the other lady involved in the triangular love, we are inclined to grant bail to the petitioner.

As such, the prayer for bail of the petitioner is allowed.

Accordingly, we direct that the petitioner, **Achinta Roy** 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, Tufanganj 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 the witnesses and or tamper with evidence in any manner whatsoever and on further condition that the petitioner shall stay outside the jurisdiction of Tufanganj Police Station and shall not enter the said jurisdiction except for meeting the Investigating Officer and/or attending the Court proceeding and shall meet the Investigating Officer once a week until further orders and with a further condition to comply with the provision of Section 437(3) of the Code of Criminal Procedure. We also direct the trial Court to expedite the trial and conclude it as expeditiously as possible.

The application for bail, being CRM No.1161 of 2021 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Biswajit Basu, J.)

(Soumen Sen, J.)