

17.06.2022  
tkm/ct 28  
sl no. 77

**C.R.M. (DB) 1859 of 2022**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Dhantala P.S Case no. 226 of 2022 dated 15.4.2022 under sections 306/307(2)(i)/302/34 IPC and section 6 of the POCSO Act

And

**Allowed**

In Re : Subarna Maitra @ Barna @ Suparna ..... petitioner

Mr. S Majumder

..... for the petitioner

Ms. Z N Khan

Md Kutubuddin

..... for the State

Petitioner is in custody for 55 days. It is contended ingredients of the offence punishable under section 306 IPC are not disclosed in the facts of the case.

Learned lawyer for the State opposes the prayer for bail and submits that petitioner had slapped the victim who subsequently committed suicide.

We have considered the materials on record. Petitioner is the aunt of the victim and had chastised her. No suicide note was left behind by the victim. Whether act of the petitioner would constitute abetment to suicide or not requires to be assessed during trial.

In view of the foresaid facts and the period of detention suffered by the petitioner and as co-accuseds are on bail, 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, Ranaghat, Nadia 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 (DB) 1859 of 2022 is disposed of.

**(Ananya Bandyopadhyay, J.)**

**(Joymalya Bagchi, J.)**