

23.06.2022
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allowed

CRM(DB) 1953 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat Police Station Case No. 294 of 2022 dated 06.05.2022 under Section 306 of the Indian Penal Code.

And

In Re : Sri Sourav Saha petitioner

Ms. Sananda Bhattacharyya
.....for the petitioner

Mr. Joydeep Roy
Ms. Sujata Das
..... for the State

Petitioner is in custody for 48 days.

It is submitted by the learned Counsel appearing for the petitioner that there was a love affair between the parties but marriage could not materialise. Out of depression victim committed suicide.

Learned Counsel appearing for the State opposes the prayer for bail. He submits there were telephonic communications between the petitioner and the victim prior to the incident.

We have considered the materials on record. There was a love affair between the parties. However, marriage did not materialise. It is found that there were telephonic communications between the petitioner and the victim. However, no material is placed on record to establish the fact that the petitioner had incited the victim to commit suicide.

In view of the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-(Rupees Ten Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia, subject to the condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)