

27.06.2022  
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allowed

**CRM(DB) 2015 of 2022**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhimpur Police Station Case No. 361 of 2021 dated 30.12.2021 under Sections 363/354(A)/305/509/34 of the Indian Penal Code and Section 12 of the POCSO Act.

And

In Re : Subhankar Das @ Subho ..... petitioner

Mr. Sumanta Das

.....for the petitioner

Mr. Debabrata Chatterjee, learned APP

Mr. Santanu Chatterjee

..... for the State

Learned Counsel appearing for the petitioner submits that there was a love affair between the parties. Parents of the victim girl refused to accept the relationship. As a consequence, she committed suicide. He is in custody for 168 days.

Learned Counsel appearing for the State opposes the prayer for bail. He submits that the petitioner had put vermilion of the forehead of the victim girl and threatened to circulate the picture. Owing to such blackmail, she committed suicide.

We have considered the materials on record. Victim girl did not leave behind any suicide note. Whether she committed suicide due to opposition from her parents to her marriage with the petitioner or due to blackmail by the petitioner as alleged, requires to be assessed in the course of trial.

Keeping in mind the aforesaid facts, period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to him.

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 Chief Judicial Magistrate, Nadia at Krishnagar, 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.)**