

13.07.2022
tkm/ct 28
sl no. 48

C.R.M. (DB) 2299 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Gangarampur P.S Case no. 343 of 2020 dated 28.9.2020 under sections 341/323/326/354/34 IPC
And

Allowed

In Re : Gouranga Sarkar & Ors. petitioners

Mr. Kaushik Chaudhury

Ms. Busra Khatoon

..... for the petitioner

Mr. Joydeep Roy

Mr. Amanul Islam

..... for the State

Petitioners are in custody for 18 days. It is contended petitioners are the relations of one Nakul Sarkar with whom victim had an illicit affair. A dispute arose. Consequently victim committed suicide. They have been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail and submits petitioners accused the victim of illicit relation. Out of mental depression, she committed suicide.

We have considered the materials on record including statement of the victim lady who alleges accusation by one Supta Sarkar, wife of Nakul Sarkar.

Keeping in mind the extent of complicity of the petitioners in the alleged crime, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ACJM, Gangarampur on condition that the petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM (DB) 2299 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)