

26.07.2022
Sl. No.36
akd
[PARTLY
ALLOWED]

C. R. M. (DB) 2465 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.07.2022 in connection with Marishda Police Station Case No. 69 of 2022 dated 16.04.2022 under Sections 305/34 of the Indian Penal Code.

And

In Re: **Bhriguram Jana & Anr.**

... .. Petitioners

Mr. Soumik Ganguli
Ms. Chandana Chakraborty

... .. for the petitioners

Mr. Tanmoy Kr. Ghosh
Mr. Arindam Sen

... .. for the State

It is submitted on behalf of the petitioners they are in custody for about 100 days. Investigation is complete. It is further submitted ingredients of the offence of abetment to suicide are not disclosed in the facts of the present case.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Although allegations against the petitioner no.1 i.e. father of the victim girl are vague, there are specific allegations that petitioner no.2 i.e. stepmother of the victim girl who subjected her to mental and physical torture. Keeping in mind the specific overt role of petitioner no.2 in the crime and the adverse impact it had on the tender mind of a teenage girl which compelled her to commit suicide, we are not inclined in granting bail to the petitioner no.2 namely, **(2) Madhumita Jana** at this stage.

However, keeping in mind the extent of complicity of petitioner no.1 in the alleged crime, we are of the opinion further detention of the accused/petitioner no.1 is not necessary.

Therefore, the accused/petitioner no.1 namely **(1) Bhriguram Jana**, 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, Contai, Purba Medinipur subject to condition that the said petitioner no.1 shall appear before the trial court on every date of hearing until further orders 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 for bail is thus disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)