

10.08.2022
tkm/ct 28
sl no. 50

C.R.M. (DB) 2702 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Santipur P.S case no. 596 of 2022 dated 15.6.2022 under sections 306/34 of the IPC
and

Allowed

In Re : Sulekha Biswas & ors. petitioners

Ms. M Gomes

..... for the petitioners

Mr. Tanmoy Kr. Ghosh
Mr. Arindam Sen

..... for the State

Petitioners are in custody for 56 days. It is submitted that ingredients of offence punishable under section 306 IPC are not disclosed.

Learned lawyer for the State opposes the prayer for bail and submits petitioners misbehaved with the victim who is the father in law of petitioner no. 4. As a result, he committed suicide.

We have considered materials on record. Statements of witnesses show there was domestic stiff between the parties. However, victim did not leave behind any suicide note implicating the petitioners.

Keeping in mind the aforesaid facts, we are of the opinion whether conduct of the petitioners would constitute abetment to suicide may be assessed in the course of trial.

Under such circumstance and in view of the period of detention suffered by the petitioners, 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, Ranaghat, Nadia 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) 2702 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)