

30.09.2022.
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as
(Allowed)

C.R.M. (DB) 3460 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.690 of 2022 dated 12.07.2022 under Section 306 of the Indian Penal Code.

In the matter of : Kartick Mondal @ Kartik Mandal.
.... Petitioner.

Mr. S. K. Mallick,
Mr. S. Mondal,
Mr. A. S. F. Karim,
Mr. S. Mukherjee.

...for the Petitioner.

Mr. R. Nandy, Id. A.P.P.,
Ms. S. Das.

...for the State.

Petitioner is in custody for 80 days. He submits ingredients of offence punishable under Section 306 of the IPC are not disclosed in the facts of the case.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner had illicit relation with the victim lady. He had telephonic conversations with her immediately prior to the incident. Telephonic conversation between them before the incident requires to be assessed in the light of the circumstance that they had an intimate relationship with one another. However, victim did not leave behind any suicide note. Statement of the son does not disclose any insinuation by her mother against the petitioner.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 condition that he 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)