

29.09.2022
tkm/ct 28
sl no. 108

C.R.M. (DB) 3425 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Karimpur P.S case no. 203 of 2022 dated 15.8.2022 under section 306 of the IPC
and

Allowed

In Re : Chaina Biswas

..... petitioner

Mr. Bibaswan Bhattacharya
Mr. Asraf Mondal

..... for the petitioner

Mr. S G Mukherjee, Id PP

..... for the State

Liberty is granted to correct the cause title of the petition.

Petitioner is in custody for 42 days. It is submitted that the ingredients of offence punishable under section 306 IPC are not disclosed in the facts of the case.

Learned lawyer for the State opposes the prayer for bail.

We have considered materials on record. Statements of witnesses show petitioner and the deceased had an illicit affair. Subsequently she committed suicide. She had not left behind any suicide note implicating the petitioner. Whether conduct of the petitioner would constitute abetment to suicide requires to be assessed in the light of the aforesaid circumstances during trial.

Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 ACJM, Tehatta, Nadia on condition that the petitioner 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 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 being CRM (DB) 3425 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)