

03.11.2022
tkm/ct 28
sl no. 67

C.R.M. (DB) 3716 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Sainthia P.S case no. 233 of 2022 dated 16.7.2022 under section 305 of the IPC
and

Allowed

In Re : Chattu Konai petitioner

Ms. Kumkum Mukherjee
..... for the petitioner

Mr. S Bardhan
Mr. Palash Majhi
..... for the State

Petitioner is in custody for 60 days. It is submitted ingredients of offence punishable under section 305 IPC are not disclosed in the facts of the case.

Learned lawyer for the State opposes the prayer for bail and submits petitioner used to make repeated phone calls to the victim and harass her. As a result, she committed suicide.

We have considered the materials on record. Though records collected during investigation show phone calls were made by the petitioner to the victim on the day of occurrence, nothing is placed before us to support the allegation that the petitioner had harassed or threatened the victim. She did not leave behind any suicide note implicating the petitioner.

In view of the aforesaid facts 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 CJM, Birbhum at Suri 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) 3716 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)