

28.11.2022
Sl. No.26
akd
[ALLOWED]

C. R. M. (DB) 4151 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.11.2022 in connection with Belpahari Police Station Case No. 73 of 2022 dated 09.10.2022 under Section 306 of the Indian Penal Code. (G.R. Case No.1022 of 2022)

And

In Re: **Satyabrata Mandal @ Bablu**

... .. Petitioner

Mr. Debasis Sur
Mr. Himadri Ch. Paul

... .. for the petitioner

Mr. Prasun Kr. Datta
Mr. Santanu Deb Roy

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 49 days. It is further submitted ingredients of the offence punishable under Section 306 of the Indian Penal Code are not disclosed in the case.

Learned advocate appearing for the State opposes the prayer for bail and submits petitioner is a member of the police force. He used to have regular telephonic conversations with the victim. Subsequently, victim became depressed and committed suicide.

We have considered the materials on record. Victim did not leave behind any suicide note. Whether conduct of the petitioner would constitute abetment to suicide requires to be assessed during trial. Keeping in mind the aforesaid facts and circumstances of the case, we are of the opinion further detention of the accused/petitioner for progress of investigation is not necessary.

Therefore, the accused/petitioner, namely **Satyabrata Mandal @ Bablu**, 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 Chief Judicial Magistrate, Jhargram subject to condition that the said petitioner 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, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)