

02.12.2022
Sl. No.11
akd
[ALLOWED]

C. R. M. (DB) 4238 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.11.2022 in connection with Malda Police Station Case No. 354 of 2022 dated 15.08.2022 under Section 305 of the Indian Penal Code. (G.R. Case No.5083 of 2022)

And

In Re: **Sanjib Singha @ Guddu**

... .. Petitioner

Ms. Minoti Gomes
Mr. Musharraf Alam Sk.
Ms. Susmita Ghorai

... .. for the petitioner

Mr. Binay Panda
Mrs. Puspita Saha

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 108 days. It is further submitted petitioner has been falsely implicated in the instant case. Allegation of abetment to suicide is out and out false. Investigation is complete.

Learned advocate appearing for the State opposes the prayer for bail and submits petitioner had an affair with the victim girl. He had blackmailed her. As a result, she committed suicide.

We have considered the materials on record. We have also gone through the electronic evidence showing intimate pictures of the parties. However, there is no material that the petitioner had blackmailed the victim girl. No suicide note was also left behind by her. Under such circumstances, period of detention suffered by the petitioner and as investigation is complete, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Sanjib Singha @ Guddu**, 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, Malda 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.)