

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

27.09.2022.
01.
as
Ct.No.28.
(Allowed)

C.R.M. (DB) 361 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Siliguri P. S. Case No.658 of 2022 dated 07.07.2022 under Sections 306/34 of the Indian Penal Code.

In the matter of : Debanjan Chakraborty.

.... Petitioner.

Mr. Subhabrata Chowdhury,
Mr. Biswajit Goswami,
Ms. Tripti Pandey.

...for the Petitioner.

Mr. Aditi Shankar,
Mr. Biswarup Roy.

...for the State.

Petitioner is in custody for 71 days. He submits there was a love affair between the parties. However, marriage could not fructify. As a result, she committed suicide.

Learned Advocate for the State opposes the prayer for bail and submits petitioner had cohabited with the victim on the false promise of marriage. Thereafter, he refused to marry the victim. As a result, she committed suicide.

We have considered the materials on record including the suicide note. Statements of the parents of the victim lady disclose prevaricating stance of the petitioner with regard to marriage. But victim in her suicide note does not implicate anyone for her misfortune. In fact, she refers to depression as the cause for self-extermination. Whether the conduct of the

petitioner in this factual backdrop would constitute abetment to suicide requires to be assessed during trial.

Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, 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 Chief Judicial Magistrate, Siliguri 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 and on further condition that petitioner shall meet the Officer-in-charge of Siliguri Police Station once in a week until further orders.

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.

This application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)