

17.01.2023
Sl. No.12
akd
[ALLOWED]

C. R. M. (DB) 74 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.01.2023 in connection with Taherpur Police Station Case No.557 of 2022 dated 01.12.2022 under Sections 306/506/34 of the Indian Penal Code.

And

In Re: **Rimi Ghosh**

... .. Petitioner

Mrs. Karabi Roy

... .. for the petitioner

Mr. Binay Panda

Mrs. Puspita Saha

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for about 41 days. It is further submitted petitioner was unwilling to respond to the advances of the deceased. Out of depression, he committed suicide. Investigation is complete.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. We have also examined the suicide note. Contents of the suicide note requires to be assessed in the backdrop of the attending circumstances namely, free will on the part of the petitioner to withdraw from a relationship. Whether the conduct of the petitioner when judged from this perspective would constitute abetment to suicide requires to be assessed during trial. Under such circumstances and as investigation is complete, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Rimi Ghosh**, 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 Additional Chief Judicial

Magistrate, Ranaghat, Nadia 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 she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)