

18.01.2023.
22.
as
(Allowed)

C.R.M. (DB) 191 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola P. S. Case No.349 of 2022 dated 29.09.2022 under Sections 306/34 of the Indian Penal Code.

In the matter of : Prajanan Sarkar.

.... Petitioner.

Mr. Abhra Mukherjee,
Mr. S. N. Bhattacharya,
Mr. Sauradeep Dutta.

...for the Petitioner.

Mr. Binay Panda,
Ms. Puspita Saha.

...for the State.

Petitioner is in custody for 113 days. It is contended petitioner did not abet the suicide of the victim. He prays for bail.

Learned Advocate for the State opposes the prayer for bail. He submits petitioner was involved in the racket to cheat innocent persons on false promise of giving job. Deceased was one of the victims. Out of depression he committed suicide.

We have considered the materials on record. Victim had paid money to co-accused Dibakar Konui for getting job. As no job was given, he committed suicide. There is nothing to show that petitioner had induced the victim to part with money or incited him to commit suicide.

Under such circumstances and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Prajanan Sarkar 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 Additional Chief Judicial Magistrate, Lalbagh, Murshidabad 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.

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.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)