

13.03.2023
tkm/ct 28
sl no. 87

C.R.M. (DB) 699 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kulti P.S case no. 507 of 2022 dated 11.8.2022 under sections 498A/302/34 of the IPC and sections 3/4 of the DP Act adding section 304B IPC, subsequently charge sheet submitted under sections 498A/302/304B/406/34 of the IPC and sections 3/4 of the DP

and

Allowed

In Re : Saroj Patra

..... petitioner

Mr. Tapas Kr. Ghosh
Mr. T Chowdhury

..... for the petitioner

Mr. S G Mukherjee Id PP
Mr. P P Das
Ms. Manasi Roy

..... for the State

Mr. Amal Kr. Banerjee

..... for the de facto

Petitioner is in custody for 270 days. It is submitted victim housewife committed suicide. He has been falsely implicated in the instant case. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

Learned lawyer for the de facto complainant submits that the housewife was murdered and was thereafter hanged.

We have considered the materials on record. Medical evidence shows that the victim died due to suicidal hanging. Investigation is complete. There is little possibility of trial concluding in the near future. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 CJM Paschim Bardhaman on condition that the petitioner shall

appear before the trial court on every date of hearing 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 being CRM (DB) 699 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)