

22.03.2023.
34.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1041 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Taherpur P. S. Case No.587 of 2022 dated 20.12.2022 under Sections 306/34 of the Indian Penal Code read with Section 67 of the Information and Technology Act.

In the matter of : Mampi Debnath @ Mampi Sarkar.
.... Petitioner.

Ms. Minoti Gomes.
...for the Petitioner.

Mr. Tanmoy Kr. Ghosh, Id. SGA,
Mr. Arindam Sen.
...for the State.

Petitioner submits her husband had extra marital affair with the victim. Her husband had posted pictures of the victim on social media. As a result, she committed suicide.

Learned Advocate for the State opposes the bail prayer. He refers to the suicide note. He submits petitioner had posted pictures of the victim on social media.

We have considered the materials on record. It appears that petitioner's husband had an affair with the victim. Victim's pictures were posted on social media. Even if it is assumed that the petitioner had indulged in such an act, the same appears to have been done out of her grievance towards the immoral relationship and not to abet suicide.

Under such circumstances and in view of period of detention suffered by the petitioner i.e. 90 days, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Mampi Debnath @ Mmampi 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, Ranaghat, Nadia subject to condition that she 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 her 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.)