

27.03.2023
tkm/ct 28
sl no. 63

C.R.M. (DB) 1116 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Patashpur PS case no. 409 of 2022 dated 27.9.2022 under sections 306/34 of the IPC

And

Allowed

In Re : Durgabati Das @ Durga Das & Anr. petitioners

Mr. A Karmakar
Mr. A K Bhowmick

..... for the petitioners

Mr. Prasun Datta
Mr. S Deb Roy

..... for the State

Heard learned lawyers for the parties.

We have considered the materials on record. There is delay of two months in lodging FIR. Allegations of torture are general and omnibus. She did not leave behind any suicide note. Whether the conduct of the petitioners would constitute abetment to suicide requires to be assessed during trial.

Under such circumstances and since the petitioners are women and there is no chance of their abscondence, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local to the satisfaction of the learned ACJM, Contai, Purba Medinipur at on condition that the petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM (DB) 1116 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)