

28.03.2023
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allowed

CRM(DB) No. 1156 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sabang Police Station Case No. 408 of 2022 dated 23.11.2022 and charge-sheet submitted under Sections 305/506/34 of the Indian Penal Code.

And

In Re : Suvankar Das petitioner

Ms. Madhurai Sinha

....for the petitioner

Mr. Joydeep Roy

Ms. Sujata Das

.... for the State

Learned Counsel for the petitioner submits he is in custody for 85 days. It is also submitted there was a love affair between the parties. Unfortunately, victim was minor and marriage could not fructify. Under such circumstances, she committed suicide. Investigation is complete. He prays for bail.

Learned Counsel for the State opposes the bail prayer and submits petitioner and his associates threatened the victim. Out of fear she committed suicide.

We have considered the materials on record. It is contended there was a love affair between the parties. Whether victim committed suicide due to threat or coercion requires to be assessed in the light of the aforesaid submissions during trial. No suicide note was left behind by the victim. Investigation is complete. Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner 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 Sessions Judge, 1st court, Paschim Medinipur, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)