

28.03.2023
Sl. No.78
akd
[ALLOWED]

C. R. M. (DB) 1183 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.03.2023 in connection with Kashipur Police Station Case No.142 of 2022 dated 30.11.2022 under Section 302 of the Indian Penal Code and subsequently charge sheet submitted under Sections 498A/306 of the Indian Penal Code.

And

In Re: ***Subhajit Karmakar @ Papu***

... .. Petitioner

Mr. Dibyendu Chatterjee
Ms. Reshmi Ghosh

... .. for the petitioner

Mr. Tanmoy Kr. Ghosh
Mr. Arindam Sen

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 118 days. It is further submitted there was a heated altercation between the couple and out of impulse, victim committed suicide. Investigation is complete.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses state there was a heated altercation between the couple. Subsequently, victim committed suicide. Investigation is complete. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Subhajit Karmakar @ Papu***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Raghunathpur, Purulia

subject to condition that the said petitioner 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 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 for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)