

27.04.2023.
38.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1710 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhantala P. S. Case No.49 of 2023 dated 21.01.2023 under Sections 448/354/302/34 of the Indian Penal Code.

In the matter of : Kingshuk Parba.

.... Petitioner.

Ms. Minoti Gomes.

...for the Petitioner.

Mr. Swapan Banerjee,
Mr. Suman De.

...for the State.

Petitioner is a young person. There was a romantic relationship between him and the victim girl. It is further contended the parents of the victim girl did not agree to the match and had fixed her marriage with another person. As a result, she committed suicide. She sent a video through social media platform to the petitioner. Subsequently, he was arrested.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. There was intimate relationship between the parties. Though it is alleged parties quarreled and petitioner exhorted that she should die. But victim did not leave behind any suicide note. There is no evidence that the alleged exhortation was made contemporaneous to the incident. On the other hand, petitioner contends to probabalise his defence that the victim committed suicide due to obstruction by her own parents to the relationship.

Under such circumstances and in view of period of detention suffered i.e. 95 days, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Kingshuk Parba 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 he 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 his 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.)