

09.06.2023.
35.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2204 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Simlapal P. S. Case No.132 of 2022 dated 17.12.2022 under Sections 498A/302/109/34 of the Indian Penal Code and charge sheet submitted under Sections 498A/306/34 of the Indian Penal Code.

In the matter of : Renuka Singha Mahapatra.

.... Petitioner.

Mr. Arkaprabho Roy.

...for the Petitioner.

Mr. Saswata Gopal Mukherji, Id. P.P.,

Mr. Partha Pratim Das,

Mrs. Manasi Roy.

...for the State.

Petitioner is in custody for more than four months. He submits victim was suffering from psychiatric problem. Due to depression she committed suicide.

Learned Advocate for the State opposes the bail prayer. He submits medical opinion is inconclusive with regard to cause of death.

We have considered the materials on record. Petitioner contends that the victim committed suicide due to depression. Post mortem report shows non-continuous ligature mark around the neck. However, opinion of doctor is in conclusive and it is noted that the injury No.3 is caused by pointed tip of hard object.

In view of the aforesaid circumstances, we are of the opinion cause of death is ambivalent and may be thrashed during trial. Petitioner has permanent home and hearth. There

is no chance of abscondence. Hence, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Renuka Singha Mahapatra 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, Khatra, Bankura 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.)