

03.07.2023
tkm/ct 28
sl no.89

C.R.M. (DB) 2412 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Hanskhali PS case no. 142 of 2023 dated 11.2.2023 under sections 498A/306 IPC

And

In Re : Sagar Biswas

..... petitioner

Mr. Ujjal Ray
Mr. Masum Ali Sardar
Mr. S Das

..... for the petitioner

Mr. Imran Ali
Mrs. Manisha Sharma

..... for the State

Petitioner is in custody for 140 days. He submits that the allegations of torture are out and out false. He did not abet the suicide of the victim lady. Investigation is complete. He prays for bail.

Learned lawyer for the State opposes the bail prayer. He submits that the petitioner developed an extramarital affair. As a result, victim committed suicide.

We have considered the materials on record. Parties had a registered marriage on 25.9.2022 but did not reside together as husband and wife. Subsequently, victim committed suicide. She did not leave behind any suicide note.

Under such circumstances and in view of the fact, period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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

ACJM, Ranaghat, Nadia on condition that the petitioner 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 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 being CRM (DB) 2412 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)