

1107.2023
D/L 68
Ct. No.28
allowed
(SKB)

CRM (DB) 2718 of 2023

In Re:- An application for bail under section 439 of the Code of Criminal Procedure arising out of Dhantala Police Station Case No. 327 of 2023 dated 04.05.2023 under Sections 306/34 of the Indian Penal Code

And

In the matter of : Subrata Biswas

... Petitioner

Ms. Minoti Gomes

... for the petitioner

Mr. Binay panda,
Ms. Puspita Saha

... for the State

Learned advocate for the petitioner submits the allegation of abetment to suicide is out and out false. Petitioner is the brother of the principal accused. He is in custody for 67 days. He prays for bail.

Learned advocate for the State opposes the bail prayer. He submits victim is a minor. She had an affair with one Debobroto @ Debratan Biswas. Petitioner and other co-accused abused the victim and, as a result, she committed suicide.

We have considered the materials on record. The petitioner is not the principal accused. Allegation that petitioner and others had abused the victim over phone is not supported by any records and/or documentary evidence.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, petitioner namely Subrata Biswas 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 ACJM, Ranaghat, Nadia 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 being CRM (DB) 2718 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)