

01.08.2023
tkm/ct 28
sl no. 32

C.R.M. (DB) 3027 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Nayagram P.S case no. 62 of 2020 dated 24.7.2020 under sections 302/497/120B/34 IPC
and

Allowed

In Re : Jotshna Mahata ... petitioner

Mr. S Das Mahapatra
Ms. M Sinha

..... for the petitioner

Mr. N Ahmed
Ms. Amita Gaur

..... for the State

Petitioner is in custody for 63 days. It is submitted victim husband had lost his job and out of depression he committed suicide. She prays for bail.

Learned lawyer for the State opposes the bail prayer and submits petitioner had developed extra marital relationship. Under such circumstances her husband i.e victim committed suicide.

We have considered the materials on record. Rival versions emerge with regard to the cause of suicide. Victim has not left behind any suicide note. There is no direct instigation made by the petitioner which resulted in commission of suicide. There is no possibility of the petitioner absconding.

Under such circumstances, 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 CJM Jhargram, Howrah 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 she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

The application being CRM (DB) 3027 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)