

11.08.2023
tkm/ct 28
sl no. 26

C.R.M. (DB) 3182 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Durgapur P.S case no. 172 of 2023 dated 19.3.2023 under sections 498A/302/406/120B/34 IPC, charge sheet submitted under sections 498A/306/406/120B/34 IPC
and

Allowed

In Re : Prasanta Nayak @ Goutam & Ors. ... petitioners

Mr. Sekhar Basu, Sr. Adv
Mr. S Bhattacharjee
Mr. Pritam Roy

..... for the petitioners

Ms. Faria Hossain
Mr. Anand Keshari

..... for the State

1. Petitioner no. 1 is in custody for 144 days and petitioner nos. 2 and 3 are in custody for 122 days. Co-accused have been granted bail. It is contended the victim Amit Kr. Mondal out of depression not only murdered his own children and wife but committed suicide too. They pray for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. The present case portrays a tragic incident. Disputes had cropped up between the victim Amit Kr. Mondal and co-sharers over ancestral property. Out of depression he murdered his own wife, children and thereafter committed suicide. Petitioners are the co-sharers. Some of them have been enlarged on bail.
4. Keeping in mind the aforesaid circumstances, we are inclined to extend the same privilege to the petitioners also.
5. Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like

amount each, one of whom must be local to the satisfaction of the learned ACJM, Durgapur, on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

6. In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

7. The application being CRM (DB) 3182 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)