

17.08.2023
D/L 49
Ct. No.28
Allowed
(SKB)

CRM (DB) 3236 of 2023

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Santipur P.S. Case No.364 of 2023 dated 14.04.2023 under Sections 498A/306/34 of the Indian Penal Code

And

In the matter of : Rakesh Ghosh @ Dipankar Ghosh
... Petitioner

Ms. Minoti Gomes
... for the petitioner

Mr. Saswata Gopal Mukerji, ld. PP
Mr. Aniket Mitra,
Ms. Jonaki Saha
... for the State

1. Petitioner is the nephew-in-law of the victim lady. He is in custody for 42 days. Investigation is complete. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer. He submits victim lady committed suicide at the matrimonial home.
3. We have considered the materials on record. Victim lady committed suicide after 18 years of marriage. Statutory provisions under Section 113A and 113B of the Evidence Act are not attracted to the facts of the case.
4. Keeping in mind the aforesaid facts and circumstances of the case, we are inclined to grant bail to the petitioner.

5. Therefore, the petitioner namely Rakesh Ghosh @ Dipankar Ghosh 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.
6. 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.
7. The application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)