

22.08.2023
tkm/ct 28
sl no. 41

C.R.M. (DB) 3289 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Panskura GRPS case no. 7 of 2022 dated 28.9.2022 under sections 498a/302/201/34 IPC
and

Allowed

In Re : Rabindranath Dinda ... petitioner

Mr. Suman De
Mr. A Mukherjee

..... for the petitioner

Mr. S G Mukherjee, ld PP
Mr. P P Das
Mrs. Manasi Roy

..... for the State

1. Petitioner is in custody for 286 days. Investigation is complete. It is contended cause of death is unclear. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer. He submits petitioner is the husband of the victim lady. She had suffered unnatural death on railway track.
3. We have considered the materials on record. Incident occurred 10 years after marriage. Victim lady suffered unnatural death on railway track. Though injuries on her were ante mortem it is unclear whether injuries are suicidal, homicidal or accidental. Statement of the minor son shows there was torture on the day prior to the incident. Even so, it may not be sufficient to support a charge of homicidal death.
4. Keeping in mind the aforesaid circumstances, period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner.

5. 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 Purba Medinipur 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.

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 being CRM (DB) 3289 of 2023 is disposed of.

(Rai Chattopadhyay, J.)

(Joymalya Bagchi, J.)