

21.12.2023
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allowed

CRM(DB) No. 4683 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mollarpur Police Station Case No. 214 of 2023 dated 23.10.2023 under Sections 306/34 of the Indian Penal Code.

And

In Re : Pinki Bauri & Ors. Petitioners

Mr. Bitasok Banerjee

....for the petitioners

Mr. Bibaswan Bhattacharyya

.... for the State

1. Learned Counsel for the petitioners submits victim housewife had committed suicide out of depression. There are no ingredients of abetment of suicide. They pray for bail.

2. Learned Counsel for the State opposes the bail prayer.

3. We have considered the materials on record. Victim did not leave behind any suicide note. There was matrimonial discord. There is no chance of abscondence. Whether allegations would constitute ingredients of abetment to commit suicide may be assessed during trial. Under such circumstances, we are inclined to grant bail to the petitioners.

4. Accordingly, we direct that the petitioners viz. (i) Pinki Bauri (ii) Kartick Bauri @ Kathik Bauri, (iii) Sentu Bauri @ Santu Bauri and (iv) Goutam Bauri shall 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 Additional Chief Judicial Magistrate, Rampurhat,

Birbhum, subject to conditions that petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event the petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)