

16.01.2024

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Allowed

C.R.M. (DB) No. 118 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 959 of 2023 dated 27.08.2023 under Sections 498A/304B/34 of the Indian Penal Code.

And

In Re : Ripon Mahato @ Saheb petitioner

Mr. Sagar Saha

Ms. Roma Roy

Mr. Nurnobi Seikh

.....for the petitioner

Mr. Tanmoy Kumar Ghosh

Mr. Goutam Banerjee

.....for the State

1. Learned Counsel for the petitioner submits he was discharged his duties at his office when the victim committed suicide. Investigation is complete. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits victim was tortured at the matrimonial home. She committed suicide within two years of marriage.

3. We have considered the materials on record. It is contended petitioner was not present in the house when the victim committed suicide. Investigation is complete. There is no chance of his abscondence. Under such circumstances and in view of period of detention suffered by the petitioner i.e. 123 days we are inclined to grant bail to him.

4. Accordingly, we direct that the petitioner shall 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia, subject to condition that 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.

5. In the event petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his 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.)