

28.03.2024
Sl. No.16
akd
[ALLOWED]

C. R. M. (DB) 925 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.03.2024 in connection with Manbazar Police Station Case No.104 of 2023 dated 17.12.2023 under Sections 498A/302/34 of the Indian Penal Code. (G.R. Case No.2224 of 2023)

And

In Re: **Sanat Gope**

... .. Petitioner

Ms. Minoti Gomes
Mr. Falguni Bandyopadhyay
Ms. Riya Ballav

... .. for the petitioner

Mr. Iqbal Kabir
Ms. Payal Ghosh

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 112 days. It is further submitted petitioner has been falsely implicated. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits victim-housewife committed suicide while she was five months pregnant.
3. We have considered the materials on record. Petitioner is the husband of the victim-housewife. He ordinarily resided at Orissa. On the date of the incident there was a quarrel between the couple. Thereafter victim committed suicide by hanging. There is no allegation of cruelty over demands of dowry. Whether the petitioner had abetted the suicide requires to be assessed in the light of the attending circumstances during trial. Investigation is complete. There is no chance of abscondence. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of

the opinion further detention of the accused/petitioner is not necessary.

4. Therefore, the accused/petitioner, namely **Sanat Gope**, 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 Chief Judicial Magistrate, Purulia 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.
5. 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.
6. The application for bail, thus, stands allowed.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)