

30.04.2024
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allowed

CRM (DB) No. 1341 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagardighi Police Station Case No. 570 of 2023 dated 28.10.2023 under Sections 498A/304B/34 of the Indian Penal Code.

And
In Re : Sujit Mal petitioner

Mr. Arnab Chatterjee
Mr. Anisur Rahaman
....for the petitioner

Mr. Bitasok Banerjee
Ms. Rajaashree Tah
.... for the State

Mr. S. K. Abdul Salam
Mr. Minhaz Serweny Islam
.... for the de facto complainant

1. Learned Counsel for the petitioner submits he is in custody for 183 days. Investigation is complete. His wife committed suicide due to depression. Accordingly, he prays for bail.

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

3. We have considered the materials on record including the post mortem report. No opinion with regard to cause of death could be given in absence of chemical report of viscera. No serious external injury is found on her body. Keeping in mind the aforesaid facts and as there is no chance of abscondence, we are inclined to grant bail to the petitioner.

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, Jangipur subject to conditions that petitioner 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 petitioner fails to appear before the trial court without 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.)