

D/L. 58.
13.06.2024.
MNS/MB

CRM (DB) 1603 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.05.2024 in connection with Sabang Police Station Case No. 286 of 2023 dated 14.10.2023 under Sections 302/201/34 of the Indian Penal Code.

And

In the matter of: Madan Mohan Das

.... Petitioner

Mr. Pravas Bhattacharyya

... for the petitioner.

Mr. Soumik Ganguly,
Mr. Jisan Iqbal Hossain

... for the State.

The allegation is that the petitioner got rid of his wife by killing her as he has illicit relationship with his daughter-in-law.

The petitioner denies all such allegations. He says that there is no evidence that he caused any harm to his wife, far less murdered her. He has been framed. He is sixty-six years old. He will comply with any condition that the court may impose to grant bail to him.

The State opposes the prayer for bail. Learned Advocate says that the body of the petitioner's wife was found in a pond. The post mortem report shows that the death was due to manual strangulation. Who else would strangle the petitioner's wife excepting the petitioner?

We have considered the materials on record. There is no direct evidence to the effect that the petitioner killed his wife. The petitioner is also a senior citizen. Charge sheet has been submitted upon conclusion of investigation. In our view, further detention of the petitioner is not necessary.

Accordingly, we direct that the petitioner, namely, Madan Mohan Das, 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 Chief Judicial Magistrate, Paschim Medinipur, and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. The 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.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial Court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

CRM (DB) 1603 of 2024 is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)