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20-06-2024
(ct. no.28)
KOLE
Allowed

CRM (DB) 1799 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Nabadwip Police Station** Case No. **223 of 2024** dated **07.04.2024** under Sections **306/34** of the Indian Penal Code read.

- A n d -

In the matter of : Bithika Das

.... Petitioner.

Mr. Atreyee Halder,

... For the Petitioner.

Mr. Arijit Ganguly,
Ms. Nondini Chatterjee,

... For the State.

The charge is of aiding and abetting suicide. The victim is the husband. The wife is the petitioner. The petitioner says that she is in custody for 73 days.

The petitioner says that she was married to the victim for seven years. Never ever there was any marital discord. She has no role to play in the suicide of her husband. She is willing to cooperate with the Investigating Officer to the fullest. She prays for bail.

Learned Advocate for the State opposes the prayer for bail. She draws our attention to the post mortem report as well as statements of the sister of the deceased and a friend of the deceased recorded under Section 164 of the Cr. P. C.

We have considered the material on record. Investigation is not yet complete. However, given the nature and gravity of the alleged offence as also the possible extent of complicity of the petitioner in the alleged offence, we are of the view that custodial

detention of the petitioner may not be necessary any further so long as she cooperates with the Investigating Officer fully.

Accordingly, we direct that the petitioner, namely, **Bithika 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 Judicial Magistrate, Nabadwip, Nadia and on further conditions that she shall not leave the jurisdiction of the concerned police station. 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.

The application for bail 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.)