

CRM (DB) 1790 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Sankrail Police Station** Case No. **109 of 2024** dated **08.02.2024** under Sections **302/120B** of the Indian Penal Code subsequently added Sections 306/120B IPC.

- A n d -

In the matter of : Sushmita Bag @ Sushmita Sengupta

.... Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. Debapriya Majumder,
Mr. Arindam Poali,

... For the Petitioner.

Mrs. A. Sinha, APP,
Mr. Arup Sarkar,

... For the State.

The petitioner is one of the five originally accused persons.

We are told that one accused person has been discharged. Two accused persons are on bail. The petitioner is in custody for 130 days. She says that charge sheet has been filed and hence her further detention is not necessary.

The allegation is that the petitioner and the victim person started living together in August 2020. Thereafter, the victim suspected that the petitioner was having an affair with another person. Being upset, the victim committed suicide.

We have seen the material in the case diary including the statements of neighbours recorded under Section 161 Cr. P. C. The allegations are general in nature. The post mortem report says that the death was due to the effect of hanging.

On an overall assessment of the material on record and the possible extent of complicity of the petitioner in the alleged offence, we are inclined to enlarge the petitioner on bail.

Accordingly, we direct that the petitioner, namely, **Sushmita Bag @ Sushmita Sengupta**, 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, Howrah 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.**)