

CRM (DB) 2209 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Ghatal Police Station** Case No. **221 of 2024** dated **16.06.2024** under Sections **306/506/34** of the Indian Penal Code.

- A n d -

In the matter of : Sk. Md. Rahamattulla & Anr.

.... Petitioners.

Mr. Souma Subhra Ray,

... For the Petitioners.

Mr. Bitasok Banerjee,

Ms. Ratna Ghosh,

... For the State.

1. Petitioners are the uncle-in-law of the victim. They say they have been falsely implicated. They are in custody for 46 days. They pray for bail.

2. Learned lawyer for the State opposes the bail prayer. He submits the petitioners and others misbehaved with the victim. As a result, he consumed poison and died.

3. We have considered the materials on record. There was a matrimonial dispute between the victim and his wife. They went to their in-laws' house and it is alleged petitioners and other in-laws abused him. Thereafter, he had committed suicide. Whether the conduct of the in-laws is sufficient in the attending circumstances to constitute abetment of suicide may be assessed during trial. Further detention of the petitioners is not necessary. Accordingly, we release the petitioners on bail.

4. Accordingly, we direct that the petitioners, namely, **Sk. Md. Rahamattulla and Sk. Md. Barkattulla**, shall be released on

bail upon furnishing a bond of Rs. 10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Additional Chief Judicial Magistrate, Ghatal, Paschim Medinipur and on further conditions that the petitioners 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 petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel their 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.)