

31.7.2024
Ct. No. 6
SL No. 61
SB /
Tanmoy

C.R.M.(DB) 2292 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Santipur** P.S. Case No. 597 of **2024** dated 11.5.2024 under Sections 498A/304B/34 of Indian Penal Code.

And

In the matter of: Abhijit Biswas alias Abhijit

Mr. Sananda Bhattacharyya ...for the Petitioner

Ms. Minoti Gomes

Mr. Akash Gangulyfor the State

1. Petitioner submits the victim lady was suffering from mental ailments.

She committed suicide due to depression. Petitioner is in custody for 79 days. He prays for bail.

2. Learned counsel appearing for the State opposes the bail prayer.

3. We have considered the materials on record. Allegations of torture are general and omnibus. On the other hand petitioner contends victim was under medical treatment and committed suicide due to depression. The rival versions require to be thrashed out during trial. There is no chance of abscondence.

4. Under such circumstances, we are inclined to grant bail to the petitioner.

5. Accordingly, 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, Ranaghat, Nadia subject to the condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

6. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.

7. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)