

14.11.2024

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Allowed

C.R.M. (DB) No. 3768 of 2024

In Re:- An application for bail under Section 483 of BNSS in connection with Karimpur Police Station Case No. 154 of 2024 dated 24.08.2024 under Sections 103/3(5) of the BNS.

And

In Re : Biren Bala & Ors. petitioners

Mr. Amanul Islam

Mr. Sourav Mukherjee

.... for the petitioners

Mr. Suman De

Ms. Nandini Chatterjee

.... for the State

1. Learned Counsel for the petitioners submits Petitioners no. 1 and 2 are parents of the victim boy. Petitioner no. 3 is his sister. It is further contended he was addicted to drugs and out of depression committed suicide. They pray for bail.

2. Learned Counsel for the State produces the case diary.

3. We have considered the materials on record. Statements of witnesses show petitioners used to beat the victim. Even if statements are believed in the factual background the same may not constitute abetment to suicide. No suicide note was left behind by the victim. Possibility of commission of suicide owing to drug addiction cannot be ruled out. Accordingly, we are inclined to grant bail to the petitioners.

4. Accordingly, we direct the petitioners 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, Tehatta, Nadia, subject to condition that petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. In the event petitioners fail to appear before the trial court without any 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.)