

16.08.2024
Court No.1
SL No.16
pk/AP

**HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM(DB) 431 of 2024

In Re: - An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 in connection with **Ghoksadanga** P.S. Case No. **128 of 2024** dated **14.03.2024** under Section **306** of the IPC.

And

In the matter of: **Satyajit Biswas @ Raju Biswas**
....Petitioner.

Mr. Hillol Saha Podder
Ms. Mousumi Das
...For the Petitioner.

Mr. Ujjwal Luksom
Mr. Chattu Roy
...For the State.

1. The petitioner is in custody for about 55 days. He prays for bail.

2. It appears from the records that the complaint was lodged two months after the suicide of the victim girl. The petitioner was admittedly married and had an extramarital relationship with the victim girl. He demanded money from time to time since the victim girl was insisted him to marry her. The victim girl has sated to have paid money to the petitioners on two occasions of Rs.12,000/- and Rs.14,000/- each.

3. This Court is of the prima facie view that the petitioner could not have married the victim girl since he is married at the relevant point of time. The victim girl must have been aware of the same. The investigation is still on.

4. While the petitioner may have taken advantage of the obsession of the victim with him, the impropriety of the demand of the victim that the petitioner should marry her, appears to be equally surprising.

5. In view of the above facts and circumstances of the case, this Court is of the view that the petitioner may be enlarged on bail on strict conditions.

6. Accordingly, the petitioner 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 ACJM Mathabhanga on conditions that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner shall meet the Investigating Officer as and when summoned.

7. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

8. It is, however, made clear that the State can apply for cancellation of bail of the petitioner in the event any further evidence of any other offence emerges in course of investigation.

9. The application for bail is disposed of.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)