

27.11.2024
Ct. No. 01
SL No. 03
Cp

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

CRM (DB) No. 613 of 2024

In Re: - An application for bail under Section 483 of the B.N.S.S. 2023 in connection with Kotwali Police Station Case No.594 of 2024, dated 04.09.2024, under Section 108/3(5) of the B.N.S., 2023.

And

In the matter of: Barun Roy

Mr. Jaydeep Kanta Bhowmik
Mr. Shubham Kumar
Ms. Sayantani Das
Ms. Priti Das

... for the petitioner

Mr. Aditi Shankar Chakraborty
Mr. Aniruddha Biswas

...for the State

1. Learned advocate for the petitioner submits that there was a love affair between the petitioner and the victim. Subsequently, a dispute surfaced and the relationship became strained. The victim committed suicide. He submits that the petitioner has been falsely implicated in this case and he has been languishing in custody for more than 83 days.
2. Learned Public Prosecutor produces the CD and based on the materials available in the CD, he vehemently opposes the prayer for bail. He submits that although the post mortem report, prima facie, indicates that it is a case of suicide but on close scrutiny it would be evident that the possibility of homicide cannot be ruled out.
3. Heard the learned advocates for the respective parties and perused the materials on record.

4. The post mortem report indicates that one non-continuous ligature mark was found around the neck. The petitioner is in custody for a considerable of time. Considering this aspect this court is of the view that further detention of the petitioner will not serve any purpose.
5. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of equal amount each, to the satisfaction of learned Chief Judicial Magistrate, Jalpaiguri, subject to the condition that the petitioner and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future. The petitioner will meet the Investigating Officer of the concerned police station once in a week until further orders and shall not leave the jurisdiction of the concerned police station.
6. In the event the petitioner fails to comply with the conditions as stated hereinabove, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
7. The application for bail is, thus, allowed and disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)