

April 21, 2025

6 ARDR

Allowed

CRM (R) 10 of 2025

In Re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Hemtabad** Police Station Case No. 293 of 2024 dated 04/11/2024 under Sections 85/103(1)/3(5) of the BNS.

And

In Re : Alaludden @ Afaluddin

... Petitioner.

Adv. Ayan Bhattacharjee,
Adv. Koushik Choudhuri,

... for the petitioner.

Adv. Debasish Roy, Ld. PP,
Adv. Md. Yaser A. Ismail,

... for the State.

The petitioner is in custody for over five months. Learned counsel for the petitioner submits that the petitioner's son committed suicide after committing murder of his wife and child. The petitioner is in no way responsible for the same and was not present at the place of occurrence at the relevant time.

Opposing the prayer, learned counsel for the State takes this Court to the statements of witnesses recorded under Section 161 of the Code of Criminal Procedure which indicate that there was a strained relationship between the petitioner and his son since the son was unemployed.

I have considered the material on record. It appears that the petitioner's son committed suicide after committing murder of his wife and child. Whether the conduct of the petitioner shall amount to abetment of suicide or can be considered as the proximate cause of commission of suicide by the son shall be assessed at the appropriate stage of the proceeding. At this stage, upon consideration of the material on record and extent of complicity of the petitioner in the alleged offence, this Court is of the view that

further detention of the petitioner is not required and he may be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Alaludden @ Afaluddin be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Uttar Dinajpur, subject to the condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned Court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date without justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is disposed of.

Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)