

02.05.2025

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jb.

jdt.

Allowed

C.R.M. (R) 23 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Balurghat Police Station Case No. 990 of 2024 dated 19.12.2024 under Sections 103(1)/238 of the Bharatiya Nyaya Sanhita.

And

In Re : Bidyut Mahanta @ Kuttu

Mr. Kaushik Choudhury

... For the Petitioner.

Mr. Soumik Ganguly

Ms. Jonaki Saha

... For the State.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that there was a love affair between the petitioner and the victim. The reason for suicide of the victim is not very clear. The petitioner is in custody for 85 days and prays for bail.

Learned counsel for the State opposes the prayer for bail.

It appears that the victim committed suicide by hanging. Whether the conduct of the petitioner can be considered to be a proximate cause for commission of suicide by the victim shall be assessed at the appropriate stage of trial.

Considering 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. He may be granted bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Bidyut Mahanta @ Kuttu shall 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, Dakshin Dinajpur subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date fixed for hearing without any 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.)