

05.03.2025
Item No.149
Monthly List
Court No. 26
CHC
(dismissed)

CRM (DB) 2616 of 2024

In re : An Application for **cancellation** of Bail under Section 439(2) of the Code of Criminal Procedure, 1973 and under Section 483(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

-And-

In the matter of : **Mother of the Deceased**

... ..**Petitioner**

Mr. Soumik Ganguly, Advocate
Mr. Dilip Kr. Sadhu, Advocate
Mr. Supriyo Shasmal, Advocate
... .. For the Petitioner

Mr. Sandip Chakraborty, Advocate
... ..For the State

Mr. Aritra Bhattacharya, Advocate
Mr. D. Mukherjee
...For the opposite party

1. Petitioner seeks cancellation of bail granted by the Learned Sessions Judge, Purulia in Criminal Misc.Case No.452 of 2024 on April 29, 2024.
2. Learned advocate appearing for the petitioner submits that, there is post bail misconduct so far as the opposite party is concerned. Moreover, learned Judge did not consider all materials on record to grant bail.
3. State and the private opposite party are represented.
4. We find that, the victim committed suicide. Police filed charge sheet *inter alia* under Section 306 of the Indian Penal Code,

1860 after conducting the investigation *inter alia* under Section 302 thereof.

5. The issue as to whether, private opposite party abetted in the commission of such suicide may be decided at the trial.
6. So far as the post bail misconduct is concerned, we are of the view that, the same is not conclusively established by the petitioner at the present state.
7. In such circumstances, we are not minded to cancel the bail granted to the private opposite party.
8. CRM(DB) 2616 of 2024 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)