

Criminal Misc Case No.219/2022

02 / 02.09.2022

This is an application under section 439 of Cr.P.C. filed by the accused-petitioner Kartick Mondal who is in custody in connection with Santipur P.S. Case No.690 of 2022 u/s 306 IPC.

Ld. Counsel for the petitioner submits that the complaint was lodged on 12.07.22 against the petitioner-accused, who was arrested & produced before Ld. ACJM, Ranaghat on 14.07.22 & since then he is in custody; he is totally innocent, the allegation was brought against the petition totally false, fabricated, concocted, malicious & mollified; he has not done anything that may be designed as offence under the prevalent law, he has no chance of absconding or evading legal process or trial, he shall abide by every condition of bail as imposed on him; he never preferred bail prayer before the Hon'ble Court. An affidavit is sworn to the effect that no bail petition for the accused is pending in the Hon'ble Court. So, considering the detention since 14.07.22, delay in lodging FIR, Ld. Counsel prays for bail on any condition. Considered.

Ld. Addl. P.P. strongly opposes bail prayer of the sole FIR named accused-petitioner against whom there are sufficient material materials in CD, the statements of the complainant, witnesses including the 08yrs child of the victim u/s 161 Cr.P.C., seizure lists, zimma-nama, ghat-challan, inquest report of the deceased, postmortem report, FIR & record; he placed reliance also upon the CDR depicting regular phone calls & threat on the victim Supriya Moitra (Sarkar) which led the victim to choose the fatal option of committing suicide. Hence the vehement objection from prosecution side. Considered.

Considered the submissions of both sides, carefully perused the materials in LCR, CD, FIR dt.12.07.22 over the last incident of 10.07.22 when the victim committed suicide, the statements of the complainant, witnesses including the 08yrs child of the victim u/s 161 Cr.P.C., seizure lists, zimma-nama, ghat-challan, inquest report of the deceased, postmortem report, CDR depicting regular phone calls causing threat on the victim Supriya Moitra (Sarkar), for which the victim had to commit suicide; it is seen that the sole petitioner is FIR named who is responsible in commission of the crime. So, considering all this Court thinks that, it will not be proper to allow bail prayer of the sole accused.

Hence,

O R D E R E D

that the bail petition of the petitioner namely Kartick Mondal is hereby considered & rejected.

Inform Ld. ACJM, Ranaghat by sending a copy of the instant order.

The instant Misc. Case is thus disposed of.

Return the LCR & CD.

Dictated & Corrected.

Sd/-

Addl. District & Sessions Judge,
Ranaghat, Nadia.

Memo No.

Dated.02.09.2022

Copy forwarded to

Ld. Addl. C.J.M., Ranaghat for information and necessary action.

Addl. District & Sessions Judge,
Ranaghat, Nadia.