

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

27.08.2019
tkm/ct 1
sl no. 38

C.R.M. 737 of 2019

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Falakataa P.S case no. 396 of 2019 dated 30.7.2019 under section 306 of the IPC
and

Allowed

In Re : Gobinda Sarkar & Anr. petitioners

Mr. S. Ganguly

..... for the petitioners

Mr. A. K. Sarkar

Mr. A. Sarkar

..... for the State

Heard the learned advocates appearing for the respective parties.

Having considered the materials in the case diary and bearing in mind the prima facie involvement of petitioner no. 1 who is the principal accused in ill-treating the minor girl which compelled her to commit suicide, we are not inclined to grant anticipatory bail to him.

However keeping in mind the extent of complicity of the petitioner no. 2 being the father of petitioner no. 1 in the alleged crime, we are inclined to grant anticipatory bail to him.

Accordingly, we direct that in the event of arrest, the petitioner no. 2 shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and that the petitioner no. 2 shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 737 of 2019 is disposed of.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)