

***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

29.8.2019
28.
as
(Allowed).

C.R.M. 775 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 22.08.2019 in connection with Falakata P. S. Case No.321 of 2019 dated 22.06.2019 under Sections 306/34 of the Indian Penal Code.

In the matter of : Chandan Das.

... Petitioner.

Mr. Sudip Guha.

...for the Petitioner.

Mr. Nilay Chakraborty,
Mr. Sanjiv Das.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioner that there was illicit relationship between the petitioner and the victim lady and as they received social resistance to such clandestine association, both of them consumed poison. Although the petitioner survived, the victim unfortunately died.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the aforesaid

submission made on behalf of the petitioner and as no suicide note has been left behind by the victim implicating the petitioner in the alleged crime, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner viz., Chandan Das shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each subject to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall appear before the trial court and pray for regular bail within four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Manojit Mandal,J.)

(Joymalya Bagchi, J.)