

15.11.19

Sl. No.18

Ct. No.1

pk

[ALLOWED]

## **CALCUTTA HIGH COURT**

*In the Circuit Bench at Jalpaiguri*

**C. R. M. 988 of 2019**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 07.11.2019 in connection with Alipurduar Police Station Case No. 387 of 2019 dated 17.09.2019 under Section 306 of the Indian Penal Code. (G.R. Case No.1835 of 2019)

And

In Re: ***Rana Barman***

... .. Petitioner

Mr. Sourav Ganguly

.. Advocate

... .. for the petitioner

Mr. A. S. Chakraborty,

Mr. A. Bisws .. Advocate

... .. for the State

Learned counsel for the petitioner submits that the petitioner was having a love affair with the victim deceased. On the fateful night, the petitioner gave a phone call to the victim girl. According to the petitioner, as the phone call continued for quite sometime, the family members of the victim girl became angry and abused the victim. As a consequence, the victim girl committed suicide by hanging.

Learned counsel appearing on behalf of the State submits that as per the de facto complainant the instigation came from the petitioner through the phone which prompted the victim lady to commit suicide.

Considering the materials available in the case diary and the absence of any independent material except the fact that there was a

phone call between the petitioner and the victim soon before the incident, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties, one of whom must be local, to the satisfaction of the Arresting Officer and also subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall meet the Investigating Officer once in a week till the submission of the report in final form and on further condition that the petitioner shall appear before the court below and pray for regular bail within a fortnight from date.

The application for anticipatory bail being CRM 988 of 2019 is, thus, disposed of.

Certified website copies of this order, if applied for, be immediately made available to the parties, subject to compliance with all requisite formalities.

**(Jay Sengupta, J.)**

**(Subrata Talukdar, J.)**