

04.09.2020.

45.

as

(Allowed).

C.R.M. 6094 of 2020
With
C.R.A.N.1 of 2020
(Old. No.C.R.A.N.4573 of 2020)
(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Nimta P. S. Case No.397 of 2020 dated 20.07.2020 under Sections 498A/306/34 of the Indian Penal Code.

In the matter of : Jayanta Barai.

... Petitioner.

Mr. Husen Mustafi.

...for the Petitioner.

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan.

.....for the State.

Heard the learned Advocates appearing for the parties.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Accordingly, the application, being CRAN 1 of 2020 (Old No. C.R.A.N.4573 of 2020), is disposed of.

It is submitted on behalf of the petitioner that the victim was married to another person and the ingredients of the alleged offences are not disclosed.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail and submits that the petitioner was living together with the victim lady who committed suicide.

We have considered the materials on record. It is a matter to be assessed at the appropriate stage of the proceeding whether the conduct of the petitioner would constitute abetment of suicide or not. However, in the facts and circumstances of the case and as the petitioner had not left behind any suicide note implicating the petitioner, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner, viz., Jayanta Barai shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, 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.

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

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)

