

CRM 6539 of 2020
CRAN 1 of 2020
(Via Video Conference)

G.S.Das

Ct.No.16

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Berhampore Police Station Case No. 1553 of 2019 dated 18.12.2019 under Sections 306/34 of the Indian Penal Code and the Charge Sheet No. 626 of 2020 dated 30.6.2020.

And

In the matter of: Jayanta Bhuimali & Anr.

....petitioners

Mr. Prosenjit Mukherjee

... for the petitioner

Mr. Rana Mukherjee
Mr. Santanu Chatterjee

... for the State

The petitioners undertake to affirm and appropriately stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

The petitioners claim that a disagreement with the victim resulted in the victim committing suicide.

The State says that the first petitioner and the victim lived together and held out as husband and wife though both the persons were married to others. According to the State, the brother of the first petitioner – the second petitioner herein – would visit off and on to collect money to carry the same to the married wife of the first petitioner. The State says that the victim came to suspect that something was wrong and there was

a scene during which the first petitioner apparently assaulted the victim and the victim subsequently consumed poison.

Considering the material, it does not appear that the custodial interrogation of the petitioners may be necessary. The petitioners are entitled to anticipatory bail.

Accordingly, in the event of arrest, the petitioners will be released on anticipatory bail upon furnishing security of Rs.10,000/-(Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer.

The petitioners will also comply with the conditions laid down in Section 438(2) of the Code.

CRM 6539 of 2020 and the interim application therein are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)

