

16.09.2020
SL No.40
Court No.8
(gc)
(Allowed)

**CRM 6595 of 2020
CRAN 1 of 2020**

(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **04.09.2020** in connection with **Alipurduar** P.S. Case No.**375/2020** dated **14.08.2020** under Sections **498A/302/313** of the Indian Penal Code.

And

In the matter of: **Sri Kalyan Chakraborty & Anr.**

....Petitioners.

Mr. Arnab Saha

...for the Petitioners.

Mr. Nilay Chakraborty,

Mr. Aniruddha Biswas

...for the State.

The petitioners undertake to affirm and stamp the petition/application as per Rules within one 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 is disposed of.

The learned Counsel appearing on behalf of the petitioner submits that the present petitioners are the parents-in-law of the victim deceased. They are in no way connected alleged offence. This would be evident from the suicide note collected by the investigating agency.

The learned Counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statement of the four years old child of the couple recorded under Section 164 of the Cr.P.C.

It appears that the statement of the minor child supported the purported suicide note which has been sent for forensic examination. These documents did not implicate the present petitioners.

Considering the alleged complicity of the present petitioners, we do not think that this is a fit case warranting custodial interrogation of the present petitioners. Accordingly, we allow the application for anticipatory bail to the petitioners. In the event of arrest the petitioners shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each together with two sureties of like amount each, one of whom must be local, to the satisfaction of the Additional Chief Judicial Magistrate, Alipurduar subject to the condition as laid down under Section 438(2) of the Cr.P.C.

It is further directed that the petitioner No.1, namely, Sri Kalyan Chakraborty, shall meet the I.O. of the case once a week until further orders. The petitioners shall cooperate with the Investigating Officer.

The application for anticipatory bail being CRM 6595 of 2020 is allowed.

All parties are to act on a website copy of this order on the usual undertaking.

(Jay Sengupta, J.)

(Soumen Sen, J.)