

21.09.2020

Item No.38

Ct.No.11

dc.

Allowed

C.R.M. 6889 of 2020

C.R.A.N. 1 of 2020

(Through Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Mekhliganj P.S. Case No. 144 of 2020 dated 25.05.2020 under Sections 306/34 of the Indian Penal Code.

And

In the matter of : Sobha Mandal ... Petitioner.

Mr. Anindya Ghosh,
Mr. Sudip Guha ... For the Petitioner.

Mr. Arun Sarkar ... For the State.

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 conferencing.

Learned advocate for the petitioner submits that the petitioner is 19 years old and she is a college going girl and the victim behaved in an abnormal manner thereby committing suicide. Learned advocate for the petitioner further emphasises that there was no abetment on the part of this petitioner. He further submits that having regard to the factual background of the case, custodial detention of the petitioner may not be necessary.

Learned advocate for the State opposes the prayer of the petitioner and submits the statements of eight witnesses who corroborated the substance of the first information report.

We have considered the submissions advanced by both the parties and having regard to the nature of the allegations, we are of the opinion that custodial detention of the present petitioner is not at all required for the sake of investigation of the case. Hence, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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.

CRM 6889 of 2020 and CRAN 1 of 2020 are disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with the necessary formalities.

(Tirthankar Ghosh, J.)

(Samapti Chatterjee, J.)