

01.10.2020

ssd
26.

**CRM 7004 of 2020
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Baranagar P.S. Case No.199 of 2020 dated 28.05.2020 under Sections 306/34 of the Indian Penal Code.

And

In the matter of: **Ashim Kumar Roy and anr.**

....Petitioners.

Mr. Supriyo Das

...for the Petitioners.

Mr. S.S. Islam
Mr. Subrato Roy

...for the State.

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

The charge against the petitioners is that they may have driven the victim to commit suicide.

The State relies on the suicide note allegedly executed by the victim. The victim has named the neighbouring shop-owner as the principal culprit who apparently harassed the victim off and on.

Even on a reading of the suicide note and by accepting the same to be correct, the present petitioners cannot be held responsible for the voluntary act of the deceased.

In the event of arrest, the petitioners will be enlarged on bail on furnishing security of Rs.10,000/- (Rupees Ten Thousand

only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer. In addition, the petitioners will abide by the conditions in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 7004 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)