

C.R.M. 7452 of 2020
I.A. No. CRAN 1 of 2020

(Via Video Conference)

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 23.09.2020 in connection with Nimta P.S. Case No. 333 of 2020 dated 19.06.2020 under Section 306 of the Indian Penal Code.

And

In the matter of: Sisu Ghosh

...Petitioner

Mr. Husen Mustafa

... for the petitioner

Mr. Binay Panda

Ms. Puspita Saha

... for the State

The petitioner undertakes to affirm and stamp the petition/application as per the Rules within one month of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

CRAN 1 of 2020 is accordingly, disposed of.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated and he has no way connected with the alleged offence. It is submitted that the deceased was suffering from depression due to financial condition and has accordingly committed suicide.

Learned counsel for the State however opposes the prayer for anticipatory bail.

It is submitted that the victim had taken financial assistance from the petitioner but was unable to repay the said sum as a result whereof the petitioner abused the victim which resulted in commission of suicide by the victim.

We have considered the case diary and the materials available against

the petitioner. On consideration of such materials, we are of the opinion that custodial interrogation of the petitioner is not required.

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, to the satisfaction of the arresting officer and on further condition that petitioner shall meet the investigating officer once in a week until further orders and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, accordingly, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)

