

19.10.2020

Item No.22

Ct.No.11

dc.

Allowed

C.R.M. 7669 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 Gaighata P.S. Case No. 696 of 2019 dated 10.09.2019 under Section 306 of the Indian Penal Code.

And

In the matter of : Jayanta Biswas ... Petitioner.

Mr. Koustav Bagchi ... For the Petitioner.

Mr. N. P. Agarwala,
Ms. Subhasree Patel ... 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.

It is submitted by the learned advocate appearing for the petitioner that the deceased committed suicide since love affair was broken between the petitioner and the deceased. Learned advocate for the petitioner further submits that the petitioner is 20 years old. Petitioner is in no way connected with the suicide committed by the deceased.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and produces the case diary.

Considering the submissions advanced on behalf of the learned advocates appearing for the parties and after

perusing the case diary, we are of the considered view that the victim has committed suicide as the love affair was broken between the petitioner and the victim. In view of the aforesaid, we are of the opinion that custodial interrogation of the petitioner is not necessary. 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 bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and on condition that he shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 7669 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.

(Aniruddha Roy, J.)

(Samapti Chatterjee, J.)