

40 20.11.2020
rkd Ct. No.03
(Allowed)

C.R.M. 9049 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Amdanga** P.S. Case No. **75 of 2020** dated **14/02/2020** under Section **302/120B/34** of the Indian Penal Code.

And

In the matter of: Mabiya Bibi

....petitioner.

Md. Y. Mondal

...for the petitioner.

Mr. S. Banerjee,
Ms. P. Ghosh

...for the State.

It is submitted on behalf of the petitioner that the victim had committed suicide by consuming poison and she has been falsely implicated in the instant case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and submits that petitioner had not paid outstanding dues to the victim. As a result he committed suicide.

We have considered the materials on record. Although there are statement with regard to non-payment of outstanding dues, there is no active incitement of the victim to commit suicide. In view of the aforesaid fact and other attending circumstances, we are inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section

438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)