

27.11.2020
tkm/ct 3
sl no. 68

**C.R.M. 9217 of 2020
(via video conference)**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Diamond Harbour P.S case no. 260 of 2020 dated 11.8.2020 under sections 341/325/354/306/509/34 of the IPC

Allowed

and
In Re : Basudeb Halder & Ors. petitioners

Mr. D Chatterjee
Mr. K K Bhattacharjee
..... for the petitioners

Mr. G Wilson
Mr. N P Agarwala
..... for the State

Mr. Abdul Hamid Molla
Mr. S S Shah
..... for the de facto complainant

It is submitted on behalf of the petitioners that there was a quarrel between the parties and the victim committed suicide.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the modesty of the victim had been outraged.

Having considered the materials on record and bearing in mind nature of allegations in the light of the submission made on behalf of the petitioners, we are of the opinion whether the conduct of the petitioners would amount to abetment to suicide or not may be assessed at the appropriate stage of the proceeding. However, In the facts and circumstances of the case, we are of the opinion custodial interrogation of the petitioners is not necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.

10,000/- each with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

The application being CRM 9217 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)