

145 17.12.2020
rkd Ct. No.28
(Allowed)

C.R.M. 9344 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nimta** P.S. Case No. **524 of 2020** dated **16/09/2020** under Section **306/506/34** of the Indian Penal Code.

And

In the matter of: Dolly @ Doli Saha

....petitioner.

Mr. A. Islam

...for the petitioner.

Mr. P. Datta,
Mr. N. Dhali

...for the State.

It is submitted on behalf of the petitioner that the victim was pressurized to refund the loan to the company. Petitioner is an agent. Ingredients of the offence punishable under Section 306 of the IPC are not disclosed.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and refers to the suicide note.

We have considered the materials on record including the suicide note. Suicide note does not disclose any active incitement on the part of the petitioner to commit suicide. Whether the conduct of the petitioner would constitute an abetment to suicide or not may be assessed at the appropriate stage of the proceeding. However, in the facts and 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 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.)