

18.12.2020
tkm/ct 28
sl no. 89

**C.R.M. 9376 of 2020
(via video conference)**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Burwan P.S case no. 296 of 2020 dated 10.10.2020 under sections 306 of the IPC

Allowed

and

In Re : Toton Saha

..... petitioner

Mr. Arindam Roy
Mr. MFA Begg

..... for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. M Gupta

..... for the State

It is submitted on behalf of the petitioner that the victim committed suicide out of depression. He has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the petitioner had illicit relationship with the deceased. Subsequently, she committed suicide.

We have considered the materials on record. Victim did not leave behind any suicide note implicating the petitioner.

In view of the aforesaid fact, 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 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 being CRM 9376 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)