

132 18.12.2020
rkd Ct. No.28
(Allowed)

**C.R.M. 9782 of 2020
(Through Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Falakata** P.S. Case No. **134 of 2019** dated **02/04/2019** under Section **306/34** of the Indian Penal Code.

And

In the matter of: Ajita Oraon & Anr.

....petitioners.

Mr. H. S. Poddar

...for the petitioners.

Mr. T. Bhattacharjee,

Mr. B. Ray

...for the State.

It is submitted on behalf of the petitioners that there is delay in lodging the first information report. 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.

We have considered the materials on record including the statements of the witnesses. Although there are statements with regard to torture, there is no active incitement of the victim to commit suicide. No suicide note was left behind implicating the petitioners by the deceased in the alleged crime. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

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 for anticipatory bail is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)