

10.12.2020.

77.

as

(Allowed).

C.R.M. 10069 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.278 of 2020 dated 22.09.2020 under Sections 306/34 of the Indian Penal Code.

In the matter of : Samad Sk. & Ors.

... Petitioners.

Mr. Manas Kr. Das.

...for the Petitioners.

Mr. Iqbal Kabir.

.....for the State.

Petitioners undertake to withdraw the anticipatory bail application pending before the learned Sessions Judge.

In view of such undertaking, the application is taken up for hearing.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case. Ingredients of the offence punishable under Section 306 of the Indian Penal Code are not disclosed in the facts of the case. It is further submitted that the victim had committed suicide due to depression as the love affair between himself and a local girl did not fructify in marriage.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail and submits that the petitioners had threatened the victim over the love affair.

We have considered the materials on record. Allegation of abetment of suicide may be assessed in the light of the submission that the victim had committed suicide due to depression owing to a love affair. None of the statements show that the petitioners had incited commission of suicide by the victim. Under such circumstances, we are inclined in granting anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners, viz., Samad Sk, Siraj Sk and Rumjan Sk @ Seikh Ramjan 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

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

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)