

11.12.2020
Sl. No. 73
akb
[ALLOWED]

C. R. M. 10223 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 02.12.2020 in connection with Rajapur Police Station Case No. 345 of 2020 dated 08.11.2020 under Sections 498A/325/506 of the Indian Penal Code, 1960.

And

In Re: ***Tanmoy Kolay***

... .. Petitioner

Mr. Ayan Bhattacharjee

Mr. Aditya Ratan Tiwary.. Advocate

... .. for the petitioner

Mr. Anowar Hossain.. Advocate

Ms. Ratna Ghosh.. Advocate

... .. for the State

It is submitted on behalf of the petitioner that the victim housewife had attempted to commit suicide earlier due to depression. She was treated. Subsequently, she again tried to kill herself by jumping from the roof in September, 2020. After three months the FIR was registered.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and submits that the victim housewife attempted to commit suicide as she was falsely accused of immoral relationship with another person.

Whether the victim had attempted to commit suicide owing to the suspicious nature of the petitioner or due to mental imbalance or depression may be assessed at the appropriate stage of the proceeding in accordance with law. However, in the aforesaid factual matrix and as there is a delay in lodging FIR, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Tanmoy Kolay***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each to the satisfaction of the arresting officer

and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall meet the Investigating Officer once in a week until further orders.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)