

17.12.2020
Court No.28
SL No.167
AP

CRM 10466 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Amdanga** P.S. Case No.**732/2020** dated **04.11.2020** under Sections **498A/304B** of the Indian Penal Code.

And

In the matter of: **Ainur Islam @ Ainur Mondal**

....Petitioner.

Mr. Parthapratim Das,
Ms. Debadrita Mondal

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee

...for the State.

It is submitted on behalf of the petitioner that he resides separately from the matrimonial home of the victim.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the container of the poison was kept in the house of the petitioner.

We have considered the materials on record. None of the witnesses said that the petitioner was present at the place of occurrence when the victim committed suicide. Whether the conduct of the petitioner would constitute abetment to suicide or not may be assessed at the appropriate stage of the proceeding. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner 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 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, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)