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13-08-2021  
(ct. no.32)  
KOLE  
Allowed

**(Via Video Conference)**

**CRM 1894 of 2021**

**In re:** An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chinsurah Police Station** Case No. **405 of 2020** dated **08.12.2020** under Sections **306/34** of the Indian Penal Code.

- A n d -

**In the matter of : Ramesh Choudhary & Anr.**

.... Petitioners.

Mr. Sourav Chatterjee,  
Mr. B. Banerjee,

... For the Petitioners.

Mr. A. Ganguly,  
Mr. S. Kumar Dan,

... For the State.

The petitioners have been accused of offences punishable under Sections 306/34 of the Indian Penal Code. The charge is of aiding and abetting the suicide of the victim.

We have seen the material in the case diary including a purported suicide note left behind by the victim. We have considered the over all facts and circumstances of the case.

It appears that the victim had an affair with one Guddy Yadav, who is another accused person in this case. The petitioners, Guddy and the victim went to Darjeeling for a holiday. Certain things transpired there. They came back and joined the school where they were all teachers. Thereafter, the victim committed suicide.

Learned Advocate for the State says that the petitioner no. 2 and Guddy are the prime accused persons.

Having considered the material on record we prima facie do not find such incriminating material against the petitioners as would warrant their immediate custodial interrogation, provided they cooperate with the Investigating Officer since investigation has not yet been completed.

Accordingly, 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, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438 (2) of the Code of Criminal Procedure until further orders.

In the event the petitioners fail to adhere to any of the conditions stipulated in Section 438 (2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 1894 of 2021 is, thus, allowed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**( Suvra Ghosh, J. )**

**( Arijit Banerjee, J. )**