

16.08.2021

CRM 2137 of 2021

**Court No.28
Item No.07
(Allowed)**

**Akd
&
As**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Ramnagar Police Station Case No. 04 of 2021 dated 03.01.2021 under Sections 306/34 of the Indian Penal Code;

And

In the matter of : **Suchana Das & Ors.**

...Petitioners

**Mr. Kallol Mondal,
Mr. Krishan Ray,
Mr. Pronojit Roy.**

...For the Petitioners

**Mr. N. Ahmed,
Mr. Anwar Hossain,
Ms. Shreyashee Biswas.**

...For the State.

Ms. Rita Patra.

...For the de facto complainant.

Apprehending arrest in connection with Ramnagar Police Station Case No. 04 of 2021 under Sections 306/34 of the Indian Penal Code, the petitioners have filed the instant application for anticipatory bail.

At the very outset the learned Advocate for the petitioners submits that the name of the petitioner no. 4 does not find in the charge sheet, as he has been exonerated/discharged from the instant case. He thus does not intend to press the instant application so far as the petitioner no. 4 is concerned.

Learned Advocate for the petitioners moves the application for anticipatory bail of petitioner nos. 1, 2 and 3. They are the girl and the respective parents and have been charge sheeted in connection with the instant case originated on the commission of suicide by the victim girl.

It is uniformly submitted that there was a love affair between the deceased and the petitioner no. 3 and due to discord of the said relationship, the deceased committed suicide.

After perusing the materials available from the record and the

fact that charge sheet has already been submitted, we do not find any justification in detaining the petitioner nos. 1, 2 and 3 in custody.

Accordingly, the prayer for anticipatory bail in so far as petitioner nos. 1, 2 and 3 is concerned, is allowed.

In the event of arrest, the petitioner nos. 1, 2 and 3 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 of the concerned police station subject to the condition that the petitioners will appear before the Trial Court on every date of hearing and on further conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In the event, the petitioners fail to do so without any justifiable cause, the Trial Court shall be at liberty to pass an appropriate order in accordance with law without further reference to this Court.

The application for anticipatory bail, being CRM 2137 of 2021 is thus **disposed of**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)