

17.08.2021

Court No.28
Item No.276
(Allowed)

Akd
&
As

CRM 2206 of 2021
(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Labpur Police Station Case No. 153 of 2020 dated 01.12.2020 under Sections 306/34 of the Indian Penal Code;

And

In the matter of : **Sarat Indu Mondal @ Sarobidu**
...Petitioner

Mr. Ranjan Chakraborty,
Mr. Ritam Chowdhury,
Ms. Sampa Ghosh.

...For the Petitioner

Mr. Saswata Gopal Mukherjee, Ld. P.P.,
Ms. Faria Hossain,
Ms. Baisali Basu.

...For the State.

Apprehending arrest in connection with Labpur Police Station Case No. 153 of 2020 under Sections 306/34 of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail.

It is submitted by the learned Advocate for the petitioner that the wife of the deceased had an extramarital affair with another gentleman and subsequently she fled away with him. The only allegation against the petitioner is that he used to use pinching words to the deceased for such incident, which led him to commit suicide.

The State opposes the prayer for anticipatory bail.

We find that the entire case depends upon the quality of evidence to be adduced in this regard, as it is a case of abetment to commit suicide.

From the statement of the witnesses we do not find that the custodial interrogation of the petitioner is at all necessary.

The prayer for anticipatory bail is thus allowed.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that the petitioner shall meet the Investigating Officer once in a fortnight till the investigation is over.

Default without any plausible reason on a solitary occasion to appear before the Investigating Officer may entitle the prosecution to apply for cancellation of the liberty granted in this order and if such approach is made, the concerned Court would decide the same independently without any further reference to this Court.

The application for anticipatory bail, being CRM 2206 of 2021 is thus **disposed of**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)