

Item No.55
11-08-2021
(ct. no.32)
(AD)
Allowed

(Via Video Conference)

CRM 2594 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Patashpur Police Station** Case No. **328 of 2020** dated **25.08.2020** under Sections **498A/304B/313/34** of the Indian Penal Code.

- A n d -

In the matter of : Chandan Barman

.... Petitioner.

Mr. Mazahar Hossain Chowdhury

... For the Petitioner.

Mr. Narayan Prasad Agarwala
Ms. Subhasree Patel

... For the State.

The petitioner is the husband of the victim lady who is said to have committed suicide.

The petitioner submits that allegations against the petitioner and other co-accused are omnibus in nature. Co-accused persons have been granted bail by a Coordinate Bench of this Court. Charge sheet has been submitted.

The State refers to the statements of witnesses recorded under Section 161 of the Code and the post-mortem report of the victim.

We have considered the material in the case diary. There is no contemporaneous medical document in support of the allegation under Section 313 of the Penal Code. The victim lady appears to have committed suicide. Allegations against the petitioner are general and omnibus and co-

accused standing on the same footing have been granted bail by a Coordinate Bench of this Court earlier.

Having regard to the material in the case diary and also as charge sheet has been submitted, we are of the view that immediate custodial interrogation of the petitioner may not be necessary and he may be granted anticipatory bail.

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 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 petitioner fails 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 reference of this Court.

The application for anticipatory bail being CRM 2594 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.)