

22.09.2021
Item no.61
Court No.32.
S.De
(allowed)

(Via Video Conference)

CRM No. 3003 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 25.03.2021 in connection with Santragachi Police Station Case No. 01 of 2021 dated 07.01.2021 under Section 306 of the Indian Penal Code.

And

In the matter of : Diya Halder.

.....Petitioner.

Mr. Kollol Kr. Basu, Advocate,
Md. Jannat Ul Firdous, Advocate,
.....for the Petitioner.

Mr. Prasun Kr. Datta, Ld. A.P.P.,
Mr. Santanu Deb Roy, Advocate,
.....for the State.

The petitioner is nineteen years old and is a college student. The allegation is that the petitioner came to know the victim on social media. Thereafter, the petitioner developed intimate relationship with the victim. The petitioner insisted that the victim should marry her although the victim was a married person. Feeling pressurized, the victim committed suicide by hanging himself.

We have seen the Post Mortem Report. The cause of death is stated to be “hanging ante mortem”. We have also seen statements of witnesses in the case diary.

On an overall assessment of the material on record and the facts and circumstances of the case, although charge-sheet is yet to be submitted, we are of the view that this is not a case where custodial interrogation of the petitioner is necessary so long as she co-operates with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner namely **Diya Halder** 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 case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 3003 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)