

CRM 4513 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Asansol (South) Police Station** Case No. **186 of 2021** dated **28.04.2021** under Sections **306/34** of the Indian Penal Code.

- A n d -

In the matter of : Amit Roy & Ors.

.... Petitioners.

Mr. A. Ghatak
Mr. A. Ranjan Pati,

... For the Petitioners.

Mr. S. Bhattacharyya,
Mr. Md. Kutubuddin,

... For the State.

The allegation is that the victim, who committed suicide, used to run a sweet shop in a premises of which the owners are the petitioner nos. 1 and 2 and the mother-in-law of the petitioner no. 3. The victim was a tenant in respect of the room where he used to run sweet meat business. Apparently, the landlords exerted continuous pressure on the victim to vacate the tenanted premises. Unable to take such mental pressure, the victim committed suicide.

We have seen the statements of neighbours in the case diary. Prima facie, the statements do not support a case of aiding and abetting of suicide of the victim by the petitioners.

On an overall assessment of the material on record and the facts and circumstances of the case, we are of the view that immediate custodial interrogation of the petitioners may not be necessary so long as they cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, namely, **Amit Roy, Joydev Roy** and **Animesh Roy** 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 and shall report to the Investigating Officer once in a fortnight 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 4513 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.

(**Bivas Pattanayak, J.**)

(**Arijit Banerjee, J.**)