

Court No.
28
Item 123
ssi

16.12.
2021

C.R.M. 6730 of 2021

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Pursurah Police Station case no. 102 of 2021 dated 24.07.2021 under Sections 341/323/325/306/34 of the Indian Penal Code.

In Re: Krishna Chakraborty & ors.

....petitioners

Mr. Niladri Sekhar Ghosh
Mr. Sk. Selim Malik
Mr. Sompurna Chatterjee
....for the petitioners
Mr. Md. Anwar Hossain
Ms. Sreyashee Biswas
...for the State

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case. Ingredients of the offence punishable under Section 306 of the Indian Penal Code are not disclosed in the facts of the case.

Learned lawyer of the State submits that the petitioners had made false accusations against the deceased that he had illicit relationship with petitioner no.1. On such pretext, the petitioners assaulted him. Hence he committed suicide.

We have considered the materials on record. Allegation of physical assault by the petitioners including petitioner no.1 upon the deceased on the score that he

had an illicit relationship with petitioner no.1 appears to be highly improbable. No suicide note was left behind by the deceased.

Under such circumstances, we are of the opinion that the petitioners may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, 1973 and shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)