

07.06.2021
Court No.28
SL No.4
PJ/KC

CRM 9529 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raigunge Women** P.S. Case No.**38/2020** dated **27.02.2020** under Sections **306/34** of the Indian Penal Code (GR Case No. 323/2020).

And

In the matter of: **Animesh Das**

....Petitioner.

Mr. Kazi M. Rahman

...for the Petitioner.

Mr. S.G. Mukherjee, Ld. P.P.

Ms. Faria Hossain,

Mr. Aniket Mitra,

...for the State.

This anticipatory bail application is sought apprehending arrest by the petitioner who is accused in Raigunge Women Police Station Case No. 38 of 2020 registered under Section 306 read with Section 34 of the Indian Penal Code.

Learned counsel for the State opposes the prayer for anticipatory bail.

Having considered the case diary and the rival contentions of the parties, it is found that the petitioner knew the victim for a substantial period of time. The accused person first promised to marry the victim and on that pretext cohabited with her. The actual relations between the parties and the causal connection of the same with the suicide of the victim can be established only in the course of trial.

It is further submitted by the learned counsel for the State that the other co-accused has already been granted bail.

In these circumstances, the petitioner shall be entitled to get anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner be released on anticipatory bail upon furnishing a bond of Rs.10,000/-

(Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall meet the investigating officer once in a week or until further orders. The petitioner shall appear before the investigating officer and hand over his passport, if any, within a period of four weeks from date. In the event the petitioner does not have a passport, he shall personally appear before the investigating officer and furnish an affidavit to that effect within the time frame mentioned hereinabove.

In the event of violation of any of the terms and conditions above, the IO shall treat the bail as cancelled without any further reference to this Court.

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

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)