

29.07.2021

Court No.28
Item No.21
(REJECTED)

ab/saswata

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT
JALPAIGURI**

(Via Video Conference)

CRM 639 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Bhaktinagar Police Station Case No. 237 of 2021 dated 07.03.2021 under Section 306 of the Indian Penal Code (G. R. Case No. 1072 of 2021).

And

In the matter of : **Debu Barman**

...Petitioner

Mr. Joydeep Kanta Bhowmick.

...For the Petitioner

Mr. Arun Sarkar,

Mr. Tapan Bhattacharjee.

...For the State.

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

The petitioner is implicated in a case under Section 306 of the Indian Penal Code and on apprehension of arrest has filed the instant application for anticipatory bail.

It is ascertained from the submission made by the learned Counsel for the petitioner and the State that the wife of the defacto complainant, who had met with an unnatural death by burning, borrowed a sum of Rs. 45,000/- from a private financial company of which the petitioner is the agent. The deceased could not make repayment of one EMI due to COVID pandemic for which she was immensely pressurized by the petitioner. The victim somehow arranged the money, paid the EMI and on next day committed suicide. The investigation is in progress.

Considering the extent of complicity and specially the dying declaration made by the deceased, we are not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail being CRM 639 of 2021 is, thus, ***rejected***.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)