

05.08.2021

Court No.28
Item No.20
(ALLOWED)

Saswata

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

(Via Video Conference)

CRM 710 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Dhupguri Police Station Case No. 152 of 2021 dated 15.04.2021 under Sections 306/506 of the Indian Penal Code;

And

In the matter of : **Suranjit Sarkar**

...Petitioner

Mr. Sekhar Basu, Sr. Adv.

Mr. Kushal Kumar Mukherjee

...For the Petitioner

Mr. Aditi Shankar Chakraborty, APP

Mr. Ujjal Luksom

Mr. Aniruddha Biswas

...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.

Apprehending arrest in connection with Dhupguri Police Station Case No. 152 of 2021 under Sections 306/506 of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

There was a love relation between the petitioner and the deceased. The deceased committed suicide and the petitioner has been implicated in connection with the aforesaid case, solely on the ground of abetment. The petitioner apprehends his arrest in connection with the aforesaid case and has applied for anticipatory bail.

The matter was adjourned on the last occasion, as we were informed that the deceased had a habit of writing her feelings in personal diary. The photocopy of the same has been produced today, as the original copy has been sent to the expert to examine the handwriting of the deceased. We proceeded on the basis of the photocopy, thereof, treating the same to be sacrosanct at this stage, as the State intends to rely thereupon.

We do not find prima facie complicity of the petitioner to the alleged offence and no custodial interrogation of the petitioner is necessary. The prayer for anticipatory bail of the petitioner is **allowed**.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of ₹10,000/- (Rupees Ten Thousand only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and the petitioner shall meet the Investigating Officer once in a week or as and when called for and shall cooperate with the investigation process without intimidating witness or tampering the documents and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail being CRM 710 of 2021 is, thus, ***disposed of.***

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)