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06-08-2021
(ct. no.32)
KOLE
Allowed

In the Circuit Bench At Jalpaiguri
(Via Video Conference)
CRM 727 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Samuktala Police Station** Case No. **114 of 2021** dated **17.06.2021** under Section **307** of the Indian Penal Code.

- A n d -

In the matter of : Biswajit Barman

.... Petitioner.

Mr. Hillol Saha Poddar,

... For the Petitioner.

Mr. Tapan Bhattacharjee,

... For the State.

The allegation is of aiding and abetting the suicide of the victim. It is alleged that the petitioner had promised to marry the victim and accordingly they had a relationship for over a year. However, ultimately when the petitioner declined to marry the victim, she consumed pesticide on June 13, 2021. She passed away in hospital on June 15, 2021. An FIR was lodged on June 17, 2021.

We have seen the memo of evidence. Admittedly, there is no statement made by the victim before she passed away. There is nothing on record at the moment to show that the petitioner was in any way responsible for the death of the victim. Investigation is going on. The petitioner says that he will fully cooperate with the Investigating Officer.

Having considered the facts and circumstances of the case and the nature and gravity of the allegation, we are of the view that the petitioner may be granted anticipatory bail so long as he cooperates with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/-, 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 until further orders.

The application for anticipatory bail being CRM 727 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.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)