

CRM (A) 327 of 2022
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Pradyut Joardar**

..... petitioner

Mr. Prabir Majumder

.....For the petitioner

Md. Anowar Hossain
Ms. Ratna Ghosh

.....For the State

Apprehending arrest in connection with Krishnaganj Police Station Case No. 281/2021 dated 10.12.2021 under Sections 306/34 of the Indian Penal Code, the present application has been preferred.

Mr. Majumder, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. He had not instigated the victim in any manner to commit suicide. In the said conspectus, custodial interrogation of the petitioner may not be necessary.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the witnesses as well as the post mortem report.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Whether the act of the petitioner, *per se*, would constitute abatement of suicide is an issue to be decided at the appropriate stage of trial.

Considering the nature of accusations and the possible extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation of the petitioner is not necessary.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Pradyut Joardar** 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with a further condition that the petitioner shall meet with the investigating officer once a week till investigation is complete.

It is further directed that the petitioner shall not tamper with the evidence and/or intimidate the witnesses. He shall also attend learned Court below on all the dates, as specified for hearing.

In the event the petitioner fails to comply with the aforesaid directions, without any justifiable cause, the learned Court below shall be at liberty to cancel his bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM (A) 327 of 2022, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)