

08.06.2022
tkm/ct 28
sl no. 135

C.R.M. (A) 2452 of 2022

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ghola P.S case no. 248 of 2022 dated 18.4.2022 under sections 306/34 of the IPC
And

Allowed

In Re : Pramod Kumar Pandey petitioner

Mr. Sandipan Ganguly, Sr Adv
Mr. D Dutt
Mrs. S B Chatterjee

..... for the petitioner

Mr. Goutam Banerjee

..... for the State

Petitioner is a collection agent of a finance company. It is contended the victim had taken loan to purchase a vehicle. He failed to repay the loan and repossession notices were issued. Subsequently the vehicle was repossessed. After the victim committed suicide, petitioner has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the petitioner had misbehaved with the victim in connection with the recovery of the loan. As a consequence, he committed suicide.

We have considered materials on record. There are statements that the petitioner had misbehaved with the victim with regard to recovery of the loan. However, victim did not leave behind any suicide note implicating the petitioner. It is also relevant to note that the vehicle in question had been repossessed with the consent of the victim.

Whether the conduct of the petitioner would constitute abetment to suicide in the light of the attending facts of the case requires to be assessed at the appropriate stage of the proceeding. In this backdrop, we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

Accordingly, we direct that 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, 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.

Petitioner shall appear before the court below and prays for regular bail within four weeks from date.

The application being CRM (A) 2452 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)