

13.06.2022
Sl. No.109
akd
[ALLOWED]

C. R. M. (A) 2553 of 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 06.06.2022 in connection with Habra Police Station Case No. 206 of 2022 dated 06.03.2022 under Sections 306/34 of the Indian Penal Code.

And

In Re: **Smt. Jyoti Biswas (Das)**

... .. Petitioner

Mr. Souvik Mitter
Mr. Nimai Roy
Mr. Arnab Chatterjee

... .. for the petitioner

Mr. Rameshwar Sinha

... .. for the de-facto complainant

Mr. Arup Kr. Mondal

... .. for the State

It is submitted on behalf of the petitioner that she is the wife of the victim who committed suicide. She had been subjected to cruelty and had instituted a criminal case against her husband. Subsequently, he committed suicide.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

Learned advocate appearing for the de-facto complainant also opposes the prayer for anticipatory bail.

We have considered the materials on record. Allegation of abetment to commit suicide requires to be assessed in the light of the aforesaid submissions made on behalf of the petitioner. No suicide note was left behind by the victim implicating the petitioner. Keeping in mind the aforesaid facts, we are of the opinion custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case and she may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely **Smt. Jyoti Biswas (Das)**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)