

15.06.2022
cm/ct 28
sl no. 127

C.R.M. (A) No. 2667 of 2022

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with **Gaighata P.S Case No. 368 of 2022** dated **23.04.2022** under Sections **306/34** of the Indian Penal Code.

And

Allowed

In Re : Haridas Sarkar & Anr.

..... petitioners

Mr. Shibaji Kumar Das
Ms. Rupsa Sreemani

... for the Petitioners.

Mr. Narayan Prasad Agarwala
Ms. Subhasree Patel

..... for the State

Petitioners are the parents of co accused Sujoy Sarkar who is said to have an affair with the victim lady. Subsequently, victim lady committed suicide and petitioners have been falsely implicated in the instant case.

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

We have considered the materials on record including statement of daughter of the victim recorded under Section 164 Cr.P.C. No medical papers corroborating the allegation of physical assault of the victim on the previous day is placed on record. Whether the victim consumed poison on her own or upon the inducement of the petitioners requires to be assessed in the light of the aforesaid facts and circumstances of the case.

Keeping in mind the aforesaid facts and extent of complicity of the petitioners in the alleged crime, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each 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.

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

The application being CRM (A) No. 2667 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)