

15.06.2022
tkm/ct 28
sl no. 187

C.R.M. (A) 2764 of 2022

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Duttapukur P.S case no. 296 of 2022 dated 2.4.2022 under sections 498A/302/34 IPC
And

Allowed

In Re : Abul Hasem @ Abdul Hasem petitioner

Mr. J N Chatterjee
Mr. N Ahmed
Mr. P Roy

..... for the petitioner

Mr. S G Mukherjee, Id PP
Mr. P P Das
Mrs. Manasi Roy

..... for the State

It is submitted that victim committed suicide. Daughter of the couple was present at the place of occurrence but her statement has not been recorded under section 164 Cr.P.C.

Learned lawyer for the State produces the case diary and submits that the children of the couple had made statements before police.

We have considered materials on record. Statements of the children of the couple do not implicate the petitioner. They state the victim had committed suicide. Petitioner did not instigate the victim as per their statements.

Bearing in mind the aforesaid facts, we are of the opinion though custodial interrogation of the petitioner is not necessary, he requires to co-operate with investigation in accordance with law.

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 and on further condition that the petitioner, while on bail, shall meet the investigating officer once in a week until further orders.

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

The application being CRM (A) 2764 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)