

31 20.06.2022
(AD)
Court No.29
(Allowed)

C.R.M. (A) 2876 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with G.R. Case No.260 of 2022 arising out of **Bhadreswar** P.S. Case No.**77** of **2022** dated **22/02/2022** under Sections **306/506** of the Indian Penal Code, 1860, Charge Sheet submitted under Sections **306/506** of the Indian Penal Code, 1860.

And

In the matter of: Arif @ Sk Ariful Islam

....petitioner.

Mr. Jayanta Narayan Chatterjee
Ms. Nandini Chatterjee
Mr. Nazir Ahmed
Ms. Sreeparna Ghoshy

...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. PP
Mr. Aniket Mitra

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that there was a love relationship between the victim and the petitioner. There is no case of abatement of suicide. The victim committed suicide.

Learned Public Prosecutor refers to the post-mortem report of the victim and to the statement recorded under Section 164 of the Code of Criminal Procedure of the father of the victim.

In his statement recorded under Section 164 of the Code of Criminal Procedure, the father of the victim claims that he is receiving threats.

No doubt the police will take appropriate steps with regard to such claim of receipt of threats.

The post-mortem report suggests that death by suicide.

Considering the materials in the case diary and the post-

mortem report of the victim and considering the fact that the police filed charge sheet, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall 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 condition that the petitioner shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default, the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 2876 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)