

29.09.2022.

39.

AD/KC

(Allowed).

C.R.M. (A) 4738 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jiaganj P. S.** Case No.**221 of 2022** dated **10.08.2022** under Sections **341/323/306/34** of the Indian Penal Code.

In the matter of : Sukumari Mondal @ Sukmari Mandal & Anr.
... Petitioners.

Ms. Minoti Gomes

...for the Petitioners.

Mr. Joydeep Roy

Mr. Amanul Islam

.....for the State.

It is submitted on behalf of the petitioners that petitioner no. 1 is the mother-in-law and petitioner no. 2 is the brother-in-law of the victim. Victim had matrimonial discord with his wife. Out of depression, he committed suicide.

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

We have considered the materials on record. There was a matrimonial discord between the victim and with his wife. He committed suicide. There is no suicide note of the victim implicating the petitioners. Under such circumstances, we are of the opinion custodial interrogation of the petitioners are not necessary, they may be granted anticipatory bail. Consequently, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the trial court and pray for regular bail within a period of four weeks from date.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)