

CRM (A) 5121 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Haripal Police Station Case No. 295 of 2022 dated 17.10.2022 under Sections 306/34 of the Indian Penal Code.

-And-

In the matter of : **Shampa Mukherjee**

... ... Petitioner

Mr. Bitasok Banerjee, Advocate

... ... For the Petitioner

Mr. Avishek Sinha, Advocate

... ...For the State

Mr. Sudip Ghosh Chowdhury, Advocate

... ... For the de facto complainant

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the wife of the victim lodged a police complaint inter alia under Section 498A of the Indian Penal Code, 1960. The husband thereafter committed suicide.

Learned Advocate appearing for the State draws the attention to the postmortem report of the victim and to the suicide note left behind by the victim.

The de facto complainant is represented.

The postmortem report of the victim suggests that the victim committed suicide. There is a writing which is claimed to be the suicide note of the victim. The victim committed suicide at his paternal house.

In such circumstances, we are inclined to 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 be 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 cooperate with the investigation till the

conclusion of the investigation and on further condition that the petitioner shall appear on every date 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.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 5121 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)