

24.11.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5422 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sankrail** Police Station Case No. **950** of **2022** dated **11.09.2022** under Sections 306/34 of the Indian Penal Code, 1860.

And

In Re : Moumita Naskar

..... petitioner

Mr. Sandip Chakraborty

Mr. Kaustav Das

....for the petitioner

Mr. Binoy Panda

Mr. Subham Bhakat

....for the State

Two co-accuseds were enlarged on anticipatory bail by an order dated October 18, 2022 passed in CRM(A) 5020 of 2022.

The claim for parity is being opposed on behalf of the State on the ground that the suicide note left behind the victim squarely implicates the petitioner.

The victim, apparently, committed suicide.

There is a suicide note left behind by the victim. Two other co-accuseds were enlarged on anticipatory bail although they were named in the suicide note.

In such circumstances, 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/-, 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 shall cooperate with the Investigating Officer till the conclusion of the investigation and on 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)