

30.11.2022

27

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5545 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Amta** Police Station Case No. **325** of **2022** dated **04.10.2022** under Sections 306/34 of the Indian Penal Code, 1860.

And

In Re : Sumon Kumar Roy alias Sumon Roy alias Suman Roy
..... petitioner

Mr. Angshuman Chakraborty
....for the petitioner

Mr. Niladri Sekhar Ghosh
Mr. Mujibar Ali Naskar
....for the de-facto complainant

Ms. Sujata Das
....for the State

Apparently, the deceased was in a relationship with the wife of the petitioner.

The case diary contains writings by the deceased, which the deceased made prior to her death.

Apparently, the deceased committed suicide.

There is a dichotomy between the contents of the First Information Report and the contents of the diary maintained by the deceased prior to her death.

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 meet the Investigating Officer as and when called for 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.)