

04.03.2022

COURT : 01
ITEM : 25
MATTER : 438
STATUS : ALLOWED
TRANSCRIBER : Saswata

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

CRM (A) 112 of 2022

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Ghokasdanga Police Station Case No. 410/2021 dated 05.11.2021 under Sections 306/109 of the Indian Penal Code, 1860.

And

In the matter of : **Rakhib Hossain & Ors.**

...Petitioners

Mr. Sabyasachi Bhattacharjee
Mr. Shibasish Banerjee
Ms. Barnali Das

...for the Petitioners

Mr. Abhijit Sarkar
Mr. Sagnik Sankar Sikdar

...for the State

Apprehending arrest, the petitioners have filed the instant application for anticipatory bail in connection Ghokasdanga Police Station Case No. 410/2021 dated 05.11.2021 under Sections 306/109 of the Indian Penal Code, 1860.

Five persons have joined together seeking anticipatory bail in connection with the aforementioned case.

The case was registered on the commission of suicide by the victim girl who might have some relation with the principal accused. The allegation runs to the effect that the said victim girl subsequently refused to marry the principal accused and her family members arranged for her marriage with another boy. The said boy was contacted and ill words are being told to him about the girl which led the break of the said marriage. The victim girl was mentally disturbed with the said incident and committed suicide.

The said principal accused, after being arrested had been granted bail. The present petitioners are the parents and the friends of the said principal accused. Though the reliance is placed upon the statement of the witnesses under Section 161 of the Code of Criminal Procedure, but in view of such allegation having made which led to the registration of the FIR, we do not think that custodial interrogation of the petitioners are at all required.

As such, the prayer for anticipatory bail is ***allowed***.

Accordingly, in the event of arrest the petitioners namely **Rakhib Hossain, Munnaf Rahman, Janamul Haq, Majeda Bibi & Rabiul Islam** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties like amount each, one of whom must be local to the satisfaction of the arresting officer on further condition as enshrined under Section 438(2) of the Code of Criminal Procedure and on further condition that the petitioners shall meet the Investigating Officer once in a week except petitioner no. 4 **(Majeda Bibi)** who will meet the Investigating Officer as and when called for.

The application being CRM (A) 112 of 2022 is accordingly disposed of.

(Harish Tandon, J)

(Rabindranath Samanta, J)