

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

**05.05.2022**  
Court No.01  
rpan/ 03

**CRM (A) 203 of 2022**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

**In Re: Mrinmoy Debnath & Others**

- Petitioners

Mr. Arnab Saha  
...for the Petitioners

Mr. Saikat Chatterjee,  
Mr. Biswarup Roy  
...for the State

Apprehending arrest in connection with Alipurduar Police Station Case No.175 of 2022 dated 06.04.2022 under Sections 306/34 of the Indian Penal Code, the present application has been preferred.

Mr. Saha, learned advocate appearing for the petitioners submits that the petitioners had no role to play in the alleged incident. The victim committed suicide and the petitioners have been falsely implicated. In the said conspectus custodial interrogation may not be necessary.

The learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary. The issue whether the acts of the petitioners would *per se* constitute abetment of suicide is a matter to be decided at the appropriate stage of the trial in accordance with law. Considering the nature of allegations and the extent of complicity of the petitioners in the

alleged offence, we are of the opinion that their custodial interrogation is not necessary.

Accordingly, we direct that in the event of arrest the petitioners, namely, **1. Mrinmoy Debnath, 2. Shila Debnath @ Dipa Sarkar, 3. Mousumi Debnath** and **4. Sukla Dutta** shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, 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 with a further condition that the petitioner no.1 shall meet with the Investigating Officer once a week till the investigation is complete.

It is further directed that the petitioners shall appear before the learned Court below on all the dates specified for hearing and shall not intimidate the witnesses and/or tamper with the evidence in any manner whatsoever.

In the event the petitioners fail to comply with any of the aforesaid directions, without justifiable cause, the learned trial court shall be at liberty to cancel the petitioners' bail, without any further reference to this Court.

The application for anticipatory bail, being CRM (A) 203 of 2022, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Ajoy Kumar Mukherjee, J.)      (Tapabrata Chakraborty, J.)**