

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

04.05.2022
Item no.22
Court No.01
Avijit Mitra

CRM (A) 209 of 2022

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

And

In Re : Ratna Sarkar

.... petitioner

Mr. Debasish Mukherjee,
Ms. Srishti Sarkar

....for the petitioner

Mr. Kallol Acharjee,
Mr. Tapan Bhattacharjee

..... for the State

Apprehending arrest in connection with Falakata Police Station Case No.93 of 2022 dated 23.02.2022 under Section 306 of the Indian Penal Code, the present application has been preferred.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary including the *post-mortem* report.

The issue as to whether the acts of the petitioner *per se* would constitute abetment of suicide is a matter to be decided at an appropriate stage of the trial, in accordance with law.

Considering the nature of allegations and the possible extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation of the petitioner is

not necessary in the facts and circumstances of the present case.

Accordingly, we direct that in the event of arrest, the petitioner namely, **Ratna Sarkar**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) 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 shall appear before the learned Court below on all the dates as specified for hearing.

It is further directed that the petitioner shall not tamper with the evidence or intimidate the witnesses.

In the event the petitioner fails to comply with the aforesaid directions, without any justifiable cause, the learned Court below shall be at liberty to cancel petitioner's bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail CRM (A) 209 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.)

