

06.09.2022

Item No.19

Ct.No.1

K.B/b.r.

allowed

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
Criminal Appellate Jurisdiction

CRM(A) 415 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kumargram P.S. Case No. 277 of 2021 dated 12.12.2021 under Sections 323/506/306/120B of the Indian Penal Code.

And

In the matter of: **Kiran Chandra Das & Ors.**

....Petitioners.

Mr. Hillol Saha Poddar
Ms. Mousumi Das

...for the Petitioners.

Mr. Ujjal Luksom
Mr. Saikat Chatterjee

.....for the State.

This is a prayer for anticipatory bail in connection with Kumargram P.S. Case No. 277 of 2021 dated 12.12.2021 under Sections 323/506/306/120B of the Indian Penal Code.

The complaint has arisen due to the alleged suicide of one Sujit Biswas. The petitioners submit that they have no proximity to the alleged suicide and their role in the alleged suicide does not appear to be reflected in the Police Report,

Learned State Advocate, Mr. Luksom, produces the Case Diary and the suicide note left behind by the deceased. It is pointed out that the authenticity of the suicide note does not disclose the complicity of the petitioners in the incident.

It is also submitted that one of the principal accused, Anita Das has been since enlarged on bail.

Having heard the parties and considering the materials placed, this Court finds it fit to grant the petitioners the privilege of anticipatory bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the investigating 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 petitioners shall not intimidate the witnesses nor shall hamper or tamper with the evidence and on the further condition that the petitioners shall record their presence with the Investigating Officer once every week and not leave the jurisdiction of the Kumargram Police Station.

CRM(A) 415 of 2022 stands accordingly **disposed of**.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Krishna Rao J.)

(Subrata Talukdar, J.)