

09.01.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 51 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Naihati** Police Station Case No. **388** of **2022** dated **02.11.2022** under Sections 306/34 of the Indian Penal Code.

And

In Re : Rajendra Shaw @ Rajendra Kumar Shaw

..... petitioner

Mr. Sandipan Ganguly

Mr. Arkadeb Bhattacharya

....for the petitioner

Mr. Atis Kumar Biswas

Mr. Amit Singh

....for the de-facto complainant

Mr. Tanmoy Kumar Ghosh

Ms. Sonali Bhar

....for the State

Petitioner prays for anticipatory bail.

Learned senior advocate appearing for the petitioner submits that, the petitioner was falsely implicated. He relies upon a list of dates in support of his contention. There was monetary transaction between the victim and the petitioner.

Learned advocate appearing for the State draws the attention of the Court to the suicide note left behind by the victim.

Learned advocate appearing for the de-facto complainant submits that, the victim and the family members of the victim

was pressurised by the petitioner. He refers to the police complaints lodged.

The suicide note of the victim claims that, the victim used to receive one per cent of the amount collected from the money lent and advanced by the petitioner.

Apparently, there were commercial transactions between the petitioner and the victim.

Apparently, the victim committed suicide.

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 once a fortnight 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.)