

22.02.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 775 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Banshihari** Police Station Case No. **15** of **2023** dated **16.01.2023** under Sections 306/34 of the Indian Penal Code.

And

In Re : Abha Roy @ Bini Roy & Ors.

..... petitioners

Mr. Ashim Kumar Chakraborty

....for the petitioners

Mr. S. G. Mukherjee, learned Public Prosecutor

Ms. Faria Hossain

Ms. Mamata Jana

....for the State

Apparently, the victim committed suicide.

There is a suicide note left behind by the victim.

There is a statement recorded by the mother of the victim under Section 161 of the Code of Criminal Procedure.

Considering the materials in the case diary and the involvement of the petitioners transpiring therefrom, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 nos. 1 (Abha Roy @ Bini Roy) and 3 (Latika Roy) shall cooperate with the Investigating Officer till the conclusion of the investigation and petitioner no. 2 (Subhash Roy) shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and on condition that the petitioners 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 petitioners 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.)