

14.03.2023

Sl.39

Court No.29

(AD)

(Allowed)

C.R.M. (A) 1052 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jorabagan** Police Station Case No.**12 of 2023** dated **27.01.2023** under Section **306** of the Indian Penal Code, 1860.

And

In the matter of: **Debashish Ghosh**

....petitioner.

Mr. Prasenjit Debnath

Mr. Sanjay Roy

... for the petitioner.

Ms. Faria Hossain

Ms. Baisali Basu

...for the State.

Petitioner prays for anticipatory bail.

Apparently, the victim committed suicide.

Petitioner before us is the superior officer of the victim who committed suicide.

The issue as to whether, as the superior officer, the petitioner did anything so as to be construed as an abetment to the commission of suicide is an issue at the trial.

At this stage, we deem it appropriate to 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/- (Rupees Ten Thousand Only), with two sureties of like amount each, 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 and on condition that the petitioner will report before the Investigating Officer once a month 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 1052 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)