

19.05.2023

23

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2092 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chakdah** Police Station Case No. **191** of **2023** dated **05.04.2023** under Sections 306/34 of the Indian Penal Code.

And

In Re : Biplab Chakraborty @ Santu & Ors.

..... petitioners

Mr. Shivaji Kumar Das

....for the petitioners

Mr. Bidyut Kumar Roy

Ms. Sima Biswas

....for the State

Apparently, there was a relationship between the victim and the petitioner no. 3.

Apparently, there was a proposal of marriage between the two. Apparently, such proposal of marriage did not fructify.

The post mortem report of the victim suggests that, the victim committed suicide.

None of the petitioners were present at the place of occurrence.

As to whether the petitioners were involved in abetting the commission of suicide by the victim is debatable.

In such circumstances, 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 no. 1 (Biplab Chakraborty @ Santu) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner nos. 2 (Aparna Chakraborty) and 3 (Payel Das) shall cooperate with the Investigating Officer 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.)