

19.05.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2094 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Md. Bazar** Police Station Case No. **380** of **2022** dated **17.12.2022** under Section 306 of the Indian Penal Code.

And

In Re : Md. Kalamuddin @ Akash Sk

..... petitioner

Mr. Bitasok Banerjee

....for the petitioner

Mr. Sudip Kumar

....for the State

Police filed charge-sheet.

Apparently, there was a relationship between the victim and the petitioner.

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

Petitioner was not present at the place of occurrence.

As to whether the petitioners were involved in abetment of committing of the suicide by the victim is debatable.

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 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.)