

12.07.2023

Sl. 10
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 2399 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hanskhali** Police Station Case No. **342** of **2023** dated **16.04.2023** under Section **306** IPC.

And

In the matter of: **Mohitosh Ghosh**

....petitioner.

Mr. Kusal Kumar Mukherjee
Mr. Sayan Das

...for the petitioner.

Mr. Asraf Mondal
Md. Bani Israil

... for the defacto complainant.

Mr. Anwar Hossain
Ms. Ratna Ghosh

...for the State.

1. Heard learned Counsel for the parties.
2. The petitioner is stated to be the adopted son (though not by any legal formality) of the informant and her deceased husband who is alleged to have committed suicide.
3. The deceased and the petitioner were running the business owned by the deceased. It is alleged that the petitioner mentally tortured the deceased and thrown away him out of business.
4. From the record, however, we do not find any live link between the alleged torture and commission of suicide by the deceased.
5. The investigation is stated to have progressed substantially.
6. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and substantial progress in the investigation, it is directed

that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions that (i) the petitioner shall appear before the I.O. once in a week on the day and time fixed by the I.O. till submission of F.F. (ii) he shall not threaten, induce or coerce the informant or any other witness of this case during the currency of this order.

7. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The application being **CRM (A) 2399 of 2023** is disposed of.
10. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Apurba Sinha Ray, J.)

