

06.07.2023
Sl. No.10
akd
[ALLOWED]

C. R. M. (A) 2460 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 14.06.2023 in connection with Dhubulia Police Station Case No. 484 of 2022 dated 20.12.2022 under Sections 306/34 of the Indian Penal Code.

And

In Re: ***Pinki Das***

... .. Petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder

... .. for the petitioner

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

... .. for the State

It is submitted on behalf of the petitioner that she is the wife of the victim. Victim was an alcoholic. In an inebriated state, he committed suicide. Accordingly, she prays for anticipatory bail.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. It appears there was a matrimonial dispute between the couple. Victim had been driven out by his in-laws from the latter's residence. Subsequently, he committed suicide.

Whether the conduct of the petitioner in the light of the continuing matrimonial discord would amount to abetment to suicide requires to be assessed in the appropriate stage of the proceeding. However, in view of the nature of accusation, we are of the opinion custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case and she may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Pinki Das***, 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 also 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 shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)