

25.07.2023
(D/L 51)
Ct. No.29
Allowed
(SKB)

CRM (A) 2677 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Onda P.S. Case No.41 of 2023 dated 05.03.2023 under Sections 305/506/34 of the Indian Penal Code.

In the matter of : Sourav Nandi

... Petitioner

Mr. Debapriya Samanta

... for the petitioner

Mr. Rudradipta Nandy, Id. APP
Mr. Subrata Roy,
Mr. Ranadeb Sengupta

... for the State

1. Heard the learned Counsel for the parties.
2. Considered the materials placed by them including the statements of witnesses recorded under Section 161 Cr.P.C. The present petitioner, who is stated to be 19 years old, is the person who is alleged to have abetted commission of suicide by the deceased who was a minor. From the statements of witnesses including the grandparents and parents of the deceased, it is found that the deceased was under depression since sometime past and they apprehended the present petitioner for the same. They apprehended such depression on the part of the deceased for the present petitioner with whom the deceased is alleged to have love affairs.
3. From the statements of the witnesses, we do not find any ingredients to satisfy Section 107 IPC.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and substantial progress in

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 is directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of investigation till submissions of Final Form and (ii) the petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
7. The application being CRM(A) 2677 of 2023 is disposed of.
8. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)