

10.08.2023
ML. 212
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3005 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Gangnapur** Police Station Case No. **142 of 2023** dated **19.05.2023** under Sections **306/34** of the IPC.

And

In the matter of: **Prabir Debnath**

....petitioner.

Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioner.

Mr. Anowar Hossain
Ms. Ratna Ghosh

...for the State.

1. Heard learned Counsel for both the parties.
2. Considered the materials placed before us, we find that the girl tried to establish relationship with the son of the petitioner but in vein though the allegation in the FIR is otherwise. After the girl committed suicide, FIR was filed against the present petitioner and his son who was alleged to be in a romantic relationship with the girl. As against this petitioner, we find nothing material on record to attract Section 107 IPC.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation 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.
4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. Within 21 days from today the petitioner shall appear before

the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.

6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3005 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

