

25.08.2023
ML. 464
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3283 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Banshihari** P.S. Case No. **14 of 2023** dated **11.01.2023** under Sections **306/34** of the IPC corresponding to G.R. Case No. **36 of 2023** pending before the learned ACJM, Gangarampur at Buniadpur, Dakshin Dinajpur.

And

In the matter of: **Abhijit Sarkar**

....petitioner.

Mr. Ashok Das

Mr. Mazhar Hossain Chowdhury

...for the petitioner.

Mr. Bidyut Kr. Roy

Ms. Rita Datta

...for the State.

Mr. Niladri Shekhar Ghosh

Mr. Sakhawati Khundakar

Mr. Sourav Mandal

Ms. Sompurna Chatterjee

Ms. Swati Jha

...for the de facto complainant.

1. Heard learned Counsel for both the parties.
2. The deceased, as submitted by learned Counsel for the petitioner had taken money from the present petitioner and others to provide job. He could not provide job for a long time. The petitioner and others went to his house demanding the amount they had paid. The deceased under pressure committed suicide. Such submissions of Mr. Das, learned Counsel for the petitioner find support from the alleged suicide note.
3. Regard being had to facts and submissions, factum of permanent residence of the petitioner, nature of allegation and completion of investigation, it is directed that the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Gangarampur at Buniadpur, Dakshin Dinajpur within 15 days from today in the G.R. case No. 36 of 2023 arising out of aforesaid P.S. case.

4. On his appearance and application for bail the petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
5. The learned ACJM is directed to act upon the server copy of this order, if required.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3283 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

