

08.09.2023

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[Allowed]

C. R. M. (A) 3665 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Harishchandrapur Police Station Case No. 503 of 2023 dated 01.06.2023 under Sections 302/427/34 of the Indian Penal Code.

In Re: ***Dipali Saha & Ors.***

... .. Petitioners

Mr. Soupal Chatterjee,
Ms. Sucheta Banerjee.

... .. for the petitioners

Ms. Zareen N. Khan,
Mr. Asif Dewan.

... .. for the State

1. Petitioners submit victim committed suicide. Allegation of murder is not supported by medical evidence. They pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. In the FIR, it is alleged victim was hanging inside the room. Post mortem report shows that the ligature mark is a non-continuous one which is indicative of suicidal hanging. It is also contended that the door of the room was locked from inside.
4. In view of the aforesaid materials pointing towards suicidal death, we are of the opinion custodial interrogation of the petitioners for progress of investigation is not necessary and they may be enlarged on bail.
5. Accordingly, we direct that in the event of arrest, the petitioners viz., ***1) Dipali Saha, 2) Dipankar Saha, 3) Prodip***

Saha and 4) Sudhir Saha be released on bail upon furnishing a bond of Rs.10,000/- each, 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 they shall appear before the court below and pray for regular bail within four weeks from date.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)