

09.10.2023
Sl. No.2
[ALLOWED]
as

C. R. M. (A) 4285 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Thanapara Police Station Case No. 91 of 2023 dated 12.05.2023 under Sections 306/506/34 of the Indian Penal Code.

In Re: ***Alauddin Sekh @ Sk.***

... .. Petitioner

Mr. Arnab Chatterjee,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Ms. Dhanasree Biswas,
Ms. Poulami Bose.

... .. for the petitioner

Mr. Debabrata Chatterjee, Id. A.P.P.,
Mr. Santanu Chatterjee.

... .. for the State

1. Petitioner submits victim had taken loan from various individuals. He failed to pay. Out of depression he committed suicide. He has been falsely implicated. He prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. It is alleged petitioner had taken a loan of Rs.3 lakhs. As he failed to pay, he was threatened and a land deed was taken as security. Subsequently, he committed suicide.
4. Aforesaid circumstances while giving an impression of high handed treatment against the victim does not disclose intention of the petitioner to abet suicide. Petitioner's custodial interrogation is not required. Hence, he may be enlarged on anticipatory bail.
5. Accordingly, we direct that in the event of arrest, the petitioner ***Alauddin Sekh @ Sk.*** be released on bail upon furnishing a bond of

Rs.10,000/- (Rupees Ten thousand only) 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 he 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)