

30.11.2023
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Partly allowed

C.R.M.(A) 4869 of 2023

In Re.: An application under Section 438 of the Code of Criminal Procedure in connection with Krishnaganj Police Station Case No. 381 of 2023 dated 24.04.2023 under Sections 306/34 of the Indian Penal Code.

And

In Re : Suchitra Roy & Anr. petitioners

Mr. Sumanta Das

... for the petitioners

Mr. Debabrata Chatterjee, learned APP

Ms. Mausumi Sarkar

... for the State

1. It is submitted by the learned Counsel appearing for the petitioners that there was a romantic relationship between the victim girl and petitioner no. 2. Subsequently victim committed suicide. Petitioner no. 1 is a relative of petitioner no. 2. They pray for anticipatory bail.

2. Learned Counsel appearing for the State opposes prayer for anticipatory bail and submits petitioner no. 2 blackmailed the victim and threatened to upload her intimate pictures on the social media if she did not pay money to him. Due to pressure she committed suicide.

3. We have considered the materials on record. Petitioner no. 2 blackmailed the victim and demanded money from her. Due to pressure she committed suicide. Investigation is in progress. Under such circumstances, we are of the opinion

custodial interrogation of petitioner no. 2 is necessary and this is not a fit case to grant anticipatory bail to him.

4. The application for anticipatory bail in so far as petitioner no. 2 concerned is, thus, rejected.

5. However, keeping in mind the extent of complicity of the petitioner no. 1 in the alleged crime, we are inclined to grant anticipatory bail to her.

6. Accordingly, we direct that in the event of arrest the petitioner no. 1 shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that petitioner no. 1 shall appear before the court below and pray for regular bail within a period of four weeks from date.

7. Accordingly application for anticipatory bail is allowed so far as petitioner no. 1 is concerned.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)