

09.02.2023

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***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

CRM (A) 52 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 09.01.2023 in connection with Pundibari Police Station Case No. 635 of 2022 dated 03.11.2022 under Sections 306/34 of the Indian Penal Code.

In the matter of : Malika Chakraborty

... petitioner

Mr. Subhasish Misra

...for the petitioner

Mr. Abhijit Sarkar,
Mr. Aniruddha Biswas

.....for the State.

Heard learned counsel for the parties.

Learned counsel appearing for the petitioner prays for anticipatory bail of the petitioner.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

However, keeping in view the age of the petitioner, who is about 22 years old, vis-à-vis the tender age of the alleged victim as well, and the fact that there might not be direct involvement of the petitioner in the alleged suicide of the victim, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, CRM (A) 52 of 2023 is allowed, thereby granting anticipatory bail to the petitioner on condition that

the petitioner shall comply with the conditions as stipulated in Section 438(2) of the Code of Criminal Procedure.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Cooch Behar and on further condition that the petitioner shall not leave the territorial jurisdiction of the concerned police station and shall cooperate with the investigation and shall make herself available before the Investigating Officer as and when so required.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)