

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

27.02.2023.
145.
as
(Allowed).

C.R.M. (A) 95 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sitalkuchi P. S. Case No.300 of 2022 dated 20.10.2022 under Sections 306/506 of the Indian Penal Code.

In the matter of : Sujan Das.

... Petitioner.

Mr. Arijit Ghosh.

...for the Petitioner.

Mr. Ujjwal Luksom,
Mr. Dhiman Sil.

.....for the State.

It is submitted on behalf of the petitioner there was a love affair between the parties. Father of the victim was not willing to give her in marriage to the petitioner. Subsequently, she committed suicide. He prays for anticipatory bail.

Learned Advocate for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Victim did not leave behind any suicide note implicating the petitioner. It is contended on behalf of the petitioner that the parents of the victim was unwilling to agree to their matrimony. In the light of the aforesaid submission whether his conduct would constitute abetment to suicide may be assessed during trial.

Hence, custodial interrogation of the petitioner for the purpose of investigation is not necessary.

Accordingly, we direct that in the event of arrest the petitioner 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall appear before the trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)