

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

27.02.2023.
180/tkm

C.R.M. (A) 130 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kalchini P.S case no. 120 of 2020 dated 1.9.2020 under sections 305/34 IPC read with section 3(1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act

and

In Re : Smt. Swapna Dutta ... petitioner

Mr. A Saha

..... for the petitioner

Mr. A S Chakraborty
Mr. Aniruddha Biswas

..... for the State

We have considered the materials on record. Minor victim committed suicide. She is a member of the scheduled caste community. It is alleged that the petitioner abetted her commission of suicide.

Under such circumstances and in view of bar engrafted in sections 18/18A of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, we are of the opinion application for pre-arrests bail is not maintainable.

Accordingly, prayer for anticipatory bail is dismissed as not maintainable.

(Subhendu Samanta,J.)

(Joymalya Bagchi, J.)