

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

01.03.2023.  
45.  
as  
(Allowed).

**C.R.M. (A) 170 of 2023**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bhaktinagar P. S. Case No.112 of 2023 dated 16.02.2023 under Section 306 of the Indian Penal Code.

In the matter of : Kiran Kumari @ Kiran Bhabhi.  
... Petitioner.

Mr. Rajdeep Majumder,  
Mr. Avrojoyoti Das,  
Mr. Arnab Saha,  
Mr. Pritam Roy,  
Mr. Rajdeep Das,  
...for the Petitioner.

Mr. Kallol Acharjee,  
Mr. Chattu Roy.  
.....for the State.

Petitioner is a resident of a housing complex named and styled as 'Sankalpa Enclave'. A dispute cropped up between two families in the enclave. Wife of one of the residents who was involved in the dispute committed suicide. Petitioner is in no way involved with the said quarrel. She has been falsely implicated.

Learned Advocate for the State opposes the prayer for anticipatory bail. He submits that the womenfolk in the complex including the petitioner had compelled the caretaker to upload the video footage of the quarrel. Various harsh

comments were made on the social media site. Out of pressure, the victim committed suicide.

We have considered the materials on record. Petitioner was not involved in the quarrel. We have also gone through the chats on the social media. Petitioner had merely endorsed one of the posts. Whether her conduct would constitute abetment to suicide requires to be assessed during trial. Victim lady did not leave behind any suicide note.

Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner viz., Kiran Kumari @ Kiran Bhabhi 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.)**

