

D/L. 20.
September 12, 2023.
MNS

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (DB) 545 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.09.2023 in connection with Dhupguri Police Station Case No. 337 of 2023 dated 03.07.2023 under Section 305 of the Indian Penal Code, 1860.

And

In the matter of: Alimul Hoque @ Haque

.... Petitioner

Mr. Jaydeep Kanta Bhowmik,
Mr. Sayantan Bhowmik

... for the petitioner

Mr. Abhijit Sarkar,
Mr. Sagnik Sankar Sikdar

... for the State

1. Learned counsel for the petitioner submits that the petitioner is 19 years old and due to an altercation with the victim, apparently the victim committed suicide. The petitioner has been incriminated on the allegation of abetment to suicide, but was not responsible for the same. That apart, it is submitted that the petitioner was in Kerala at the relevant point of time.
2. Learned counsel for the State opposes the prayer for bail and submits that the investigation is still going on.

3. Keeping in view the tender age of the petitioner and there being some scope of doubt regarding the involvement of the petitioner in the alleged offence, we are inclined to grant bail to the petitioner.
4. Accordingly, CRM (DB) 545 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner furnishes bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri.
5. The petitioner shall not leave the territorial jurisdiction of the Dhupguri Police Station during the entire period of investigation and shall make himself available as and when required for being interrogated in connection with the alleged offence. Moreover, the petitioner shall meet the Investigating Officer once every month.
6. That apart, the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence in any manner whatsoever.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)