

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

11.12.2023.
11/tkm

C.R.M. (A) 962 of 2023

In Re : An application for anticipatory bail under section 438 of the
Code of Criminal Procedure in connection with Alipurduar P.S case no.
325 of 2023 dated 1.10.2023 under sections 306/34 of the IPC
And

Allowed

In Re : Anamika Barman

.....petitioner

Ms. E Acharya
Mr. Sampad Das

...for the Petitioner

Mr. Ujjwal Luksom
Mr. S S Sikdar

...for the State

1. Petitioner submits that there was a love affair between herself and the victim. This did not fructify in marriage. Out of depression he committed suicide. She prays for anticipatory bail.

2. Learned lawyer for the State opposes the prayer for anticipatory bail. He contends petitioner and her family members had ill-treated the victim. As a result, he committed suicide.

3. We have considered the material on record including the statements of witnesses. Witnesses claimed victim was ill-treated by the petitioner and her family members. But he did not leave behind any suicide note. Whether the conduct of the petitioner would constitute abetment to suicide requires to be assessed in the light of the attending circumstances during trial. Petitioner is a lady and there is no chance of abscondence.

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

5. 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 also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

6. Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

7. The application being CRM (A) 962 of 2023 is disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)