

22.01.2024
Item No.34
Ct. No. 29
CHC
Allowed

C.R.M.(A) 161 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **866** of **2023** dated **07.11.2023** under Section **306** of the Indian Penal Code, 1860.

And

In the matter of : Sanjoy Sarkar

..... petitioner

Mr. Joydeep Biswas,
Mr. Koushik Ghosh,
Ms. S. Saha

....for the petitioner

Mr. Abhra Mukherjee,
Ms. Ayantika Ray

....for the State

Mr. Shahan Shah,
Ms. Husen Mustafi

....for the de facto complainant

Petitioner prays for anticipatory bail.

Petitioner, State and the de facto complainant are represented.

Apparently, the victim committed suicide as appearing from her Post Mortem Report.

Apparently, the petitioner before us and the victim were in a relationship. Both the petitioner and the victim are adults.

Apparently, the victim committed suicide on the refusal of the petitioner to marry her. As to whether, there was any instigation of abetment in the commission of suicide of the victim may be decided at the trial.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also be 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 will report before the Investigating Officer once in a month till the conclusion of investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 161 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)