

18.4.2024
DL-39
Court No.29
SD/Srimanta)
(Allowed)

C.R.M. (A) 1208 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chandrakona** Police Station Case No.**55 of 2024** dated **12.02.2024** under Section **306** of the Indian Penal Code.

And

In the matter of: **Soumik Ghosh**

....petitioner.

Mr. Subit Ganguly
Mr. Sumanta Ganguly

...for the petitioner.

Mr. Z.N. Khan
Md. Sayeed Khan

... for the State.

Mr. Asif Dewan

... for the De facto Complainant.

Apparently, the victim committed suicide.

It is contended on behalf of the police that the phone of the petitioner is required for the purpose of investigation.

De facto complainant is represented.

Since the post-mortem report of the victim suggests that the victim committed suicide, we leave the question as to whether, the petitioner abetted in the commission of suicide or not to be decided at the trial. Petitioner will, however, forthwith deposit his mobile phone which he used at that material point of time with the Investigating Officer.

Under 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 subject to the conditions as laid down under Section 438(2) of the Code of

Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a week till the conclusion of the 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 1208 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)