

04.07.2024
SL No.10
Court No.29
(gc)
(Allowed)

CRM (A) 2088 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Santipur Police Station Case No.346 of 2024 dated 25.03.2024 under Sections 306/120B of the Indian Penal Code.

And

In the matter of : **Barun Kumar Debnath @ Barun Debnath**

- Petitioner.

Mr. Santanu Talukdar

....For the Petitioner.

Mr. Rana Mukherjee,

Ms. Sonali Bhar

... For the State.

1. The learned Counsel for the petitioner submits that the petitioner is the neighbour and has been falsely implicated.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of co-villagers to show that the petitioner is in extra marital relationship with the wife of the elder brother of the deceased and both of them are responsible for the suicide. Bithika Debnath was arrested and thereafter enlarged on bail.
3. This is a case of abetment of suicide.
4. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of the alleged offence and that the co-accused has been enlarged on bail and also having regard to the fact that the

charge-sheet has already been filed, we are of the view that the custodial interrogation of the petitioner is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Barun Kumar Debnath @ Barun Debnath**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, 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. It is further directed that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Ranaghat in connection with G.R. Case No.1195 of 2024 and pray for regular bail within two weeks from date.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)