

15.07.2024
Court No.29
Item No. 51

Allowed

sg

CRM (A) 2400 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagrik Suraksha Sanhita read with Section 438 of the Code of Criminal Procedure, in connection with Patiram Police Station Case No. 127 of 2024 dated 16.05.2024 under Sections 306/34 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Balurghat, Dakshin Dinajpur.

And

In Re: **Tanmay Haldar @ Debashis Haldar**
Petitioner

Mr. Kaushik Chaudhury
Ms. B. Khatun

For the Petitioner

Ms. Subhasree Patel
Mr. Aritra Bhattacharya

For the State

1. The learned Counsel for the petitioner submits that during a picnic, there was an altercation and subsequently, the victim committed suicide. It is further submitted that the petitioner is no way involved with the commission of the alleged offence.
2. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has referred to the post mortem report and the statement of one of the neighbours recorded under Section 164 of the Code of Criminal Procedure.
3. Considering the materials available in the case diary and the nature and extent of involvement of the present petitioner in the commission of the alleged offence and the postmortem report which prima facie shows that the cause of

death is due to hanging, we are of the view that the custodial interrogation of the present petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest the petitioner namely, **Tanmay Haldar @ Debashis Haldar**, 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 Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and the petitioner shall meet the I.O. once in a week and shall not leave the jurisdiction of Patiram Police Station without the permission of the I.O. except for the purpose of attending the Court till the submission of the final report. The petitioner shall appear before the learned Chief Judicial Magistrate, Balurghat, Dakshin Dinajpur, in connection with G.R. Case No. 890 of 2024 within two weeks from date.
5. In the event the petitioner fails to comply with any of the conditions as mentioned hereinabove, the trial court shall be at liberty to cancel his bail in accordance with law without any further reference to this Court.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
7. CRM (A) 2400 of 2024 is, thus, disposed of.
8. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)