

Court No. 29
(266041)

CRM (A) 2408 of 2024

15.07.2024
(AD 59)
(S. Banerjee)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagrik Suraksha Sanhita in connection with Raiganj Police Station Case No. 400 of 2024 dated 19.04.2024 under Section 306 of the Indian Penal Code.

(Allowed)

And

In the matter of: Taiyab Ali @ Taiab Ali
...petitioner

Ms. Busra Khatun
... for the petitioner

Mr. Soumik Ganguli
Mr. Akash Ganguly
... for the State

Mr. Pronojit Roy
... for the de facto complainant

1. Learned counsel for the petitioner submits that the petitioner was in a love relationship with the victim since college days and he has never disturbed the victim.
2. Learned counsel for the de facto complainant submits that due to continuous disturbance by the petitioner, the victim committed suicide.
3. Learned counsel for the State has produced the Case Diary and the statement of the father, husband and the mother of the victim.
4. Considering the materials available in the Case Diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and also taking into consideration the statements of the relatives of the

victim, we are of the view that custodial interrogation of the petitioner is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.20,000/- 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. The petitioners shall meet the I.O. once in a fortnight till the submission of the final report.
6. It is further directed that the petitioners shall appear on every date before the learned Chief Judicial Magistrate, Raiganj, Uttar Dinajpur on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.
7. Accordingly, the application for anticipatory bail is disposed of.
8. 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.)