

10.09.2024
SL No.50
Court No.29
(gc)
(Allowed)

CRM (A) 3201 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kotwali Police Station Case No.297 of 2024 dated 09.07.2024 under Sections 108/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : **Subrata Bhunia & Anr.**

- Petitioners.

Mr. Navanil De,
Mr. Srinjan Ghosh

....For the Petitioners.

Mr. Imran Ali,
Mr. Amanul Islam

... For the State.

1. The learned Counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has submitted that the deceased had a love relationship with the daughter of the present petitioners and the immediate cause for the death was physical assault by the petitioners as would reveal from the statement of one of the witnesses recorded under Section 164 Cr.P.C.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and *prima facie* it appears that the petitioners did not approve the relationship of their daughter with that of the deceased, both of whom were minor at the relevant time, and the consequence of the death by hanging was

due to broken relationship, we are of the view that custodial interrogation of the petitioners is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Subrata Bhunia** and **Munni Bhunia**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the BNSS, 2023 and on further condition that the petitioner no.1 shall meet the I.O. once in a week and the petitioner no.2 shall cooperate with the investigation till the submission of the final report.
5. It is further directed that the petitioners shall appear before the learned Chief Judicial Magistrate, Paschim Midnapore in connection with G.R. Case No.1914 of 2024 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.)

(Prasenjit Biswas, J.)