

04.10.2024
Court No.29
Item No.35

ar

CRM (A) 3573 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with Chandipur Police Station
Case No. 263 of 2024 dated 13.07.2024 corresponding to G.R Case No. 2380
of 2024 under Sections 108/127(2)/3(5)/85 of the Bharatiya Nyaya Sanhita,
2023.

And

In Re: **Anup Das**

Petitioner

Ms. Minoti Gomes

For the Petitioner

Mr. Imran Ali

Ms. Rituparna Saha

For the State

Mr. Navanil De

Mr. Subhrajit Dey

For the De-facto Complainant

1. Heard the learned counsel appearing for the parties.
2. The petitioner is the husband of the deceased.
3. Learned counsel for the petitioner submits that the petitioner is innocent
and he has been falsely implicated.
4. Learned counsel for the de-facto complainant submits that there are
evidence of physical and mental torture and such torture became
unbearable for which the victim has committed suicide.
5. Learned counsel for the State has produced the case diary and has referred
to the statement of the son of the victim recorded under Section 183 BNS.
6. 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 having regard to the statement of the son of the victim in which he
has described the circumstances leading to suicide by his mother and he

does not implicate his father, we are of the view that custodial interrogation of the petitioner is not necessary.

7. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Anup Das** shall be released on bail upon furnishing a bond of Rs.10,000/- ,with two registered sureties of like amount each, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023. The petitioner shall meet with the I.O once in a fortnight till the submission of the final report and on further condition that the petitioner shall appear before the **learned Chief Judicial Magistrate, Purba Medinipur, within 10 days** from date in connection with **G.R Case No. 2380 of 2024**. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.
8. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
9. 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)

