

05.01.2024

Serial no. 83

Anticipatory bail

[Rejected]

2d

CRM (A) 4612 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Taherpur** Police Station Case No. **399** of **2023** dated **17.08.2023** under Section 306 of the Indian Penal Code, 1860.*

(G.R. Case No. 3204/2023)

-And-

In the matter of : **Latika Mondal**

... ..**Petitioner**

Mr. Arnab Chatterjee,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Mr. Dhanasree Biswas,
Ms. Poulami Bose, Advocates
... .. For the Petitioner

Mr. Arijit Ganguly,
Mr. Avik Ghatak, Advocates
... ..For the State

Petition is taken up for consideration subsequent to order dated October 16, 2023.

By such order, interim anticipatory bail was granted by the co-ordinate Bench.

It is submitted at the Bar that the co-ordinate Bench did not consider the materials in the case diary and passed such order in view of the ensuing Puja vacation.

We perused the materials in the case diary.

We find that the victim committed suicide.

There are two statements recorded under Section 161 of the Criminal Procedure Code.

In one of the statements, the eye-witness states that the petitioner insulted the victim and threatened the victim with false implication in criminal cases. The other witness says that

he was the witness to the insult being meted out by the petitioner to the victim.

The role of the victim in the abetment requires investigation.

In such circumstances, we are unable to confirm the interim anticipatory bail granted on October 16, 2023 or grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM (A) 4612 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)