

09.01.2024

203
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 4726 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Purba Jadavpur** Police Station Case No. **88** of **2023** dated **01.10.2023** under Sections 306/506 of the Indian penal Code.
And

In Re : Priyabrata Das alias Bubai

..... petitioner

Mr. Shashanka Sekhar Saha

....for the petitioner

Mr. Pravas Bhattacharya

Mr. Pratick Bose

...for the State

Mr. Kalayan Ghosh

..for the defacto-complainant

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 17, 2023 passed by the Coordinate Bench.

By such order dated October 17, 2023, the petitioner was enlarged on an interim anticipatory bail.

It is submitted at the bar that, the order granting interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

We perused the materials in the case diary.

Post mortem report of the victim suggests that the victim committed suicide by hanging.

There is a Whatsapp message seized by the police, which suggests that the victim stated that she was responsible for her death.

Commission of abetment, if any, of the petitioner even issued that may be decided at the trial.

In such circumstances, we confirm the interim order dated October 17, 2023.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner will meet before the Investigating Officer as and when called for by the Investigating Officer till the conclusion of the investigation and on condition that the petitioner shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

