

Allowed

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Gopiballavpur Police Station Case No. 79 of 2023 dated 19.07.2023 under Section 306 of the Indian Penal Code.

In Re : **Bidhuchandan Hansda** ... Petitioner.

Mr. Bidyut Kumar Roy,
Ms. Rita Datta ... For the State.

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, an interim anticipatory bail was granted to the petitioner.

It is submitted at the bar that such order was passed without considering the materials in the case diary and in view of the ensuing puja vacation.

We perused the materials in the case diary.

Police complaint speaks of pre-existing relationship between the victim and the petitioner.

Apparently, the victim committed suicide as appearing from the post mortem report.

As to whether, the petitioner abetted in the commission of the suicide is a matter which can be decided at the trial.

We deem it appropriate to 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/- (Rupees Ten thousand only), with two sureties of like amount each, 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 and on further condition that the petitioner will report before the Investigating Officer once a month 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.

The application for anticipatory bail is, thus, allowed.

CRM(A) 4803 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)