

11.01.2024
Item No.45(D.L.)
Ct.No.29
srn/dc.
Allowed

C.R.M. (A) 4969 of 2023

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Amherst Street Police Station Case No. 182 of 2022 dated 31.07.2022 under Sections 306/34 of the Indian Penal Code.

And

In Re : **Sima Hela**
... Petitioner.

Mr. Abhra Mukherjee,
Mr. Sauradeep Dutta,
Mr. A. Mukherjee,
Mr. S.K. Mondal
... For the Petitioner.

Mr. S. S. Imam,
Mr. S. Kundu
... For the State.

Petitioner prays for anticipatory bail.

The victim apparently committed suicide.

The victim left behind a suicide note which implicates some persons, including the petitioner, in meeting out mental and physical torture.

As to whether, the petitioner was involved in abetting the commission of the suicide is an issue which may be decided at the trial.

Considering the materials in the case diary, we grant anticipatory bail to the petitioner.

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 cooperate with the investigation 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) 4969 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)