

13.11.2024
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SG
[ALLOWED]

C. R. M. (A) 3890 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kalyani Police Station Case No. 328 of 2024 dated 04.05.2024 under Sections 306/34 of the Indian Penal Code, 1860.

And

In Re: Chandana Sarkar (Das) alias Lali.

... .. Petitioner

Mr. Susnigdho Bhattacharyya.

... .. for the petitioner

Mr. Iqbal Kabir,

... .. for the State

1. Petitioner contends her husband committed suicide due to depression. No suicide note implicating her has been recovered. She prays for anticipatory bail.

2. Learned Advocate for the State submits petitioner used to upload videos on an online video sharing platform. She developed extra-marital relations. As a result, her husband committed suicide.

3. We have considered the materials on record. Petitioner used to upload videos on an online video sharing platform. Her husband did not approve of her conduct. He suspected her fidelity and committed suicide. We find it difficult to persuade ourselves that the allegations against the petitioner including her extra-marital affairs, even if believed to be true, would per se constitute abetment of suicide.

4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

5. Accordingly, we direct that in the event of arrest, the petitioner viz. Chandana Sarkar (Das) alias Lali 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. She shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)