

21.11.2024
Sl. No.27
akd
[ALLOWED]

C. R. M. (A) 4034 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 13.11.2024 in connection with Tehatta Police Station Case No.828 of 2024 dated 08.11.2024 under Sections 108/303(2)/61(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: ***Shashanka Biswas @ Sashanka Biswas @ Raju***
... .. Petitioner

Mr. Arindam Jana
Mr. Asraf Mandal
Mr. Tanbir Mandal
... .. for the petitioner

Mr. Arindam Sen
Ms. Mamata Jana
... .. for the State

1. It is submitted on behalf of the petitioner that he was acquainted with the victim, a married lady. She committed suicide. Out of suspicion, petitioner has been falsely implicated. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. Victim's husband used to work in Kerala. It is alleged petitioner and the victim developed illicit relationship. Victim committed suicide. Statements of witnesses merely state petitioner had visited the victim on the fateful night. However, none of them stated that they quarrelled or the petitioner had instigated the victim to commit suicide. She did not leave behind any suicide note. Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

4. Accordingly, we direct in the event of arrest, the petitioner, namely, ***Shashanka Biswas @ Sashanka Biswas @ Raju***, 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.
5. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)