

06.02.2024

Serial no. 91
Anticipatory bail

[Allowed]

Dd

CRM (A) 5552 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Labpur** Police Station Case No. **131** of **2023** dated **September 16, 2023** under Sections **302/201/34** of the Indian Penal Code, 1860.*

(G.R. Case No. 982/2023)

-And-

*In the matter of : **Jagannath Das***

*... .. **Petitioner***

*Mr. Tapas Kr. Ghosh,
Mr. Tanmay Chowdhury, Advocates
... .. For the Petitioner*

*Mr. Debasish Roy, PP
Mr. Joydeep Biswas, Advocates
... ..For the State*

*Mr. Sujoy Sarkar,
Mr. Rahul Chachan, Advocates
... ..For the de facto complainant*

Co-accuseds were granted bail by the jurisdictional Court after returning a finding that the victim committed suicide.

We perused the postmortem report.

There are two injury marks on the body. One is a non-ligature mark which suggests suicide. Other is a peri ligature aberration noted over left angel of mandible region.

Injuries noted in the postmortem report suggest that the victim committed suicide.

As to whether the petitioner before us was complicit in abeting to commit suicide may be decided at the trial.

In such circumstances, 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 be 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 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 5552 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)