

17.12.2024
Sl. No.10
akd
[ALLOWED]

C. R. M. (A) 4379 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 05.12.2024 in connection with Nakashipara Police Station Case No.988 of 2024 dated 25.10.2024 under Sections 108/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: ***Manirul Sk. & Anr.***

... .. Petitioners

Mr. Khalid Hasan

... .. for the petitioners

Mr. Bitasok Banerjee
Ms. Sana Naaz

... .. for the State

1. Petitioner no.2 is the wife of the deceased and petitioner no.1 is alleged to be her paramour. Deceased committed suicide.
2. It is submitted on behalf of the petitioners that they have been falsely implicated. Accordingly, they pray for anticipatory bail.
3. Learned Advocate for the State opposes the prayer for anticipatory bail.
4. We have considered the materials on record. Statements of witnesses show petitioner no.2 developed illicit relationship with petitioner no.1. Out of depression, her husband committed suicide. He has not left behind any suicide note. Whether conduct of the petitioners would constitute abetment to suicide may be assessed at the appropriate stage of the proceeding. However, we are of the opinion custodial interrogation of the petitioners for progress of investigation is not necessary and they may be granted anticipatory bail.
5. Accordingly, we direct in the event of arrest, the petitioners, namely, ***(1) Manirul Sk. & (2) Tachlima Bibi***, be released on bail upon

furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, 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 petitioners 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.)