

20.12.2024

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[ALLOWED]

C. R. M. (A) 4527 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Howrah Police Station Case No. 439 of 2024 dated 30.11.2024 under Section 108 of BNS 2023.

In Re: **Souvik Ghosh @ Shouvik Ghosh & Anr.**

... .. Petitioners

Mr. Ashok Das,
Ms. Hasi Jana.

... .. for the petitioners

Ms. Syanti Santra,
Ms. Trisha Rakshit.

... .. for the State

1. Petitioners submit there were monetary transactions between the petitioners and the deceased. Deceased had failed to repay the petitioners. Subsequently, he committed suicide and petitioners have been falsely implicated. Accordingly, they pray for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record including the suicide note. Suicide note discloses monetary transactions between the parties. In the suicide note deceased alleged he was coerced to repay the amount. Whether this conduct of the petitioners would amount to abetment to suicide requires to be assessed at the appropriate stage of the proceeding.

4. Keeping in mind the facts and circumstances of the case, we are of the opinion progress of investigation does not call for custodial interrogation. Hence, we are inclined to grant anticipatory bail to the petitioners.

5. Accordingly, we direct that in the event of arrest, the petitioners viz., **Souvik Ghosh @ Shouvik Ghosh and Sanjukta Ghosh nee Banerjee** be released on bail upon furnishing a bond of Rs.10,000/- 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 BNSS. They 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.)