

23.12.2024
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Allowed

C.R.M. (A) No. 4569 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Taherpur Police Station Case No. 588 of 2024 dated 25.11.2024 under Sections 329(4)/115(2)/351(2)/108/3(5) of the BNS.

And

In Re : Jayanti Bala & Ors. petitioners

Mr. Sayan De
Mr. Sayan Kanjilal
Mr. Kaustav Shome

.....for the petitioners

Mr. Saibal Bapuli, learned APP
Mr. Sujoy Sarkar

.....for the State

1. Heard the learned advocates for the parties.
2. We have considered the materials on record. Petitioner no. 4 had advanced loan to the mother of the deceased. They were to repay the loan in instalments. They failed to repay the loan. Over this issue there was a dispute. Deceased committed suicide. She would not leave behind any suicide note but statements of witnesses show petitioners had misbehaved as she had failed to repay one of the instalments.
3. Whether conduct of the petitioners in abusing the deceased for not paying instalments *per se* would constitute abetment to suicide requires to be assessed at the appropriate state of the proceeding.

4. Keeping in mind these facts we are of the opinion custodial interrogation for progress of investigation is not necessary and petitioners may be granted anticipatory bail.

5. Accordingly, we direct that in the event of arrest the petitioners shall 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 be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that they shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

4. The application for anticipatory bail is, thus, allowed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)