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Allowed

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C.R.M. (A) No. 397 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Dhupguri Police Station Case No. 100 of 2024 dated 10.03.2024 under Sections 305/34 of the Indian Penal Code.

And

In Re : Manoj Roy @ Pradip Roy @ Prodip Roy petitioner

Mr. Kunaljit Bhattacharjee
Mr. Alok Sah

.....for the petitioner

Mr. Abhijit Sarkar
Mr. Kallol Nag

....for the State

Mr. Sudip Guha
Mr. Sandip Guha Roy
Mr. Ananda Paul

.... for the de facto complainant

1. Learned Counsel for the petitioner submits victim had romantic relationship with his sister-in-law. He persuaded the victim not to enter into matrimony. Subsequently victim committed suicide. He prays for bail.

2. Learned Counsel for the State and de facto complainant submit petitioner and other relations of the minor girl had assaulted the victim. Thereafter he committed suicide.

3. We have considered the materials on record. Petitioner contends victim wanted to marry a minor. He had objected. Witnesses stated petitioner and other relations had assaulted the victim. Post mortem report does not show marks of injury. Incident occurred three days after the alleged assault.

Whether there is a live nexus between the alleged assault and commission of suicide may be assessed during trial. However, custodial interrogation for progress of investigation is not necessary. Accordingly, we are inclined to grant anticipatory bail to the petitioner.

4. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 condition that they shall appear before the court below and pray for regular bail within a period of four weeks from date.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)