

12.08.2024.

Item No. 19

Court No.1

ap

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (A) No. 510 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 11.07.2024 in connection with Mal Police Station Case No. 61 of 2023 dated 02.02.2023 under Section 306 of the Indian Penal Code.

And

In the matter of: **Kartik Mandal @ Rintu Mandal.**

...petitioner

Mr. Anirban Banerjee.

...For the petitioner

Mr. Kallol Acharjee,

Mr. Ujjwal Luksom,

Mr. Sourav Ganguly.

....For the State

1. The application for anticipatory bail is canvassed in a case of abetment under Section 306 of the Indian Penal Code particularly on the ground that the petitioner spoke to the victim on 206 occasions in a span of two days.

2. This Court is of the view that the same by itself cannot establish a case for abetment of suicide. Investigation is still on.

3. The petitioner was admittedly in Kerala, working as a daily labour, on the date of the incident.

4. This Court has considered the case diary and the statement of the de facto complainant, the mother of the victim and the other materials-on-record.

5. Having considered the facts and circumstances, this Court is of the view that the petitioner is entitled to anticipatory bail.

6. It is directed that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the arresting officer upon furnishing a Bond of Rs.500/-, with one surety of like amount.

7. This order is subject to the conditions laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure corresponding to Section 482(2) of the BNSS, 2023.

8. The Case Diary be returned.

9. C.R.M. (A) No. 510 of 2024 is, thus, disposed of.

10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)

(Rajasekhar Mantha, J.)