

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

04.10.2024
30
S.D.
Allowed

C.R.M.(A) 756 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Malbazar** Police Station Case No. **497** of **2024** dated **21.08.2024** under Section **108** of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : Md. Abu

..... petitioner

Mr. Sudip Guha

....for the petitioner

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.,

Dr. Arjun Chowdhury

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the person committed suicide.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that the victim consumed poison and disclosed such fact to his father who took the victim to the hospital. He submits that the petitioner was in a relationship with the wife of the victim and that when such affair came to light, petitioner threatened the victim.

Apparently, the victim consumed poison due to which he expired.

As to whether the petitioner abetted in the commission of the crime alleged as against him, may be decided at the trial.

In such circumstances, we grant anticipatory bail to the petitioner.

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 482(2) of the B.N.S.S.,2023 and on further condition that the petitioner will meet with the investigating officer once a fortnight till the conclusion of the investigation. The petitioner shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)