

04.12.2024
SI No.62
s.biswas
(Allowed)

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

CRM (A) 962 of 2024

In Re: An application for anticipatory bail under Section 482 of the BNSS corresponding to Section 438 of the Cr.P.C. in connection with **Kotwali** Police Station Case No. **736/2024** dated **23.10.2024** under Section **108/3(5)** of the BNS read with Sections **363/365/506/34** of the IPC.

And

In Re: **Krishna Mohanta and another**

... .. Petitioners

Mr. Hillol Saha Podder

... for the petitioner

Mr. Kallol Acharjee

Mr. Subhasish Mishra

... .. for the State

1. Petitioners pray for anticipatory bail on the ground that there is no direct evidence connecting them to the allegation of abetment to suicide. Even if it is assumed, though not admitted, that the allegation of humiliation prima facie appear to be true, there is no evidence to indicate that such acts were carried out with the intent to provoke the victim to commit suicide.
2. Mr. Mishra, learned advocate appearing on behalf of the State, hands over the case diary and submits that the statements of the witnesses recorded under Section 161 of the Cr.P.C. mentions that some persons had humiliated the deceased.

3. Considering the materials on records and the fact that investigation is complete, we are of the view that custodial interrogation of the petitioners is not necessary and the benefit under Section 482 of the BNSS corresponding to Section 438 of the Cr.P.C. can be extended to the petitioners.
4. Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of equal 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 corresponding to Section 482(2) of the BNSS and on further condition that the petitioners shall meet the investigating officer once in a week until further orders.
5. The application for anticipatory bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)