

16.01.2025
Sl. No.26
akd
[ALLOWED]

C. R. M. (A) 166 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 09.01.2025 in connection with Kotwali (Krishnagar) Police Station Case No.963 of 2024 dated 02.09.2024 under Sections 108/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: **Kakali Das**

... .. Petitioner

Mr. Mani Sankar Chattopadhyay
Ms. Shalini Singh

... .. for the petitioner

Mr. Subhomay Bhattacharyya
Mr. Ronit Mukherjee

... .. for the State

1. Petitioner is a lady. It is submitted on behalf of the petitioner that she had friendship with the deceased. She got employed in West Bengal Police. Subsequently, the deceased committed suicide and petitioner was falsely implicated in the case. Accordingly, she prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail and submits after obtaining employment petitioner refused to marry the deceased. As a result, victim committed suicide. He has left behind a suicide note implicating the petitioner.
3. We have considered the materials on record including the suicide note which shows free mixing between two consenting adults. Petitioner obtained job in West Bengal Police. In the suicide note victim claims petitioner changed her stance after obtaining job and refused to continue the relationship. Learned Advocate for the petitioner submits his client had merely sought time to formalize the relationship and had not refuted it. Be that as it may, whether this conduct of the petitioner

would constitute abetment to suicide requires to be assessed at the appropriate stage of the proceeding. Under such circumstances, we are of the opinion custodial interrogation of the petitioner for progress of investigation is not necessary and she may be granted anticipatory bail.

4. Accordingly, we direct in the event of arrest, the accused/petitioner, namely, ***Kakali Das***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

5. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)