

06.02.2025

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[ALLOWED]

C. R. M. (A) 343 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Lokepur Police Station Case No. 85 of 2024 dated 18.12.2024 under Section 109 of BNS 2023.

In Re: Sumitra Nath.

... ... Petitioner

Mr. Kunal Ganguly.

... ... for the Petitioner

Ms. Minoti Gomes,
Mr. Debarshi Brahma.

... ... for the State

1. Petitioner submits her daughter had a romantic association with the deceased. He had committed suicide and petitioner has been falsely implicated. Accordingly, she prays for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail. She submits petitioner is employed in the police force and had threatened the deceased prior to the incident.

3. We have considered the materials on record. A romantic association had developed between petitioner's daughter and deceased. It did not fructify into marriage. On 12th December, 2024 victim committed suicide. He had not left behind any suicide note. Prosecution relies on a telephonic call made by the petitioner on the previous day to the deceased's mother to prove abetment to suicide. It is unclear whether the petitioner had instigated the victim to commit suicide during the telephonic

conversation. Mere refusal to accept a matrimonial proposal *per se* may not amount to abetment to suicide.

4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

5. Accordingly, we direct that in the event of arrest, the petitioner viz., **Sumitra Nath** 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 subject to the conditions as laid down under Section 482(2) of the BNSS. She shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)