

11.04.2025
Court No.28
Item No.23
tbsr
Allowed

CRM (A) 1174 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Tapan** P.S. Case No.**65 of 2025** dated **30.01.2025** under Section **108** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Susmita Barman & Anr.**

....Petitioners.

Mr. Kaushik Choudhury

...for the petitioners.

Mr. Bibhaswan Bhattacharya

Ms. Rituparna Saha

.....for State

Learned counsel representing the petitioners submits as follows.

There was a relationship between the petitioner no. 1 and the son of the de facto complainant. It is alleged that as the petitioner no. 1 refused to continue the relationship, the victim committed suicide.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail.

It is for the trial court to decide whether there is any element of abetment to the commission of the suicide in this case.

However, considering the materials available in the case diary, I do not find that custodial interrogation of the petitioners is required in this case.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, 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, 2023 and on further condition that the petitioners shall not threaten or intimidate witnesses and shall cooperate with investigation.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)