

30.04.2025
Court No.28
Item No.27
tbsr
Allowed

CRM (A) 1378 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Bamangola** P.S. Case No.**298 of 2024** dated **29.12.2024** under Sections **108//3(5)** of the Bharatiya Nyaya Sanhita 2023.

And

In the matter of: **Sumana Sarkar @ Seuli Sarkar & Anr.**

....Petitioners.

Mr. Sankar Prosad Dalapati
Mr. Pritam Chowdhury
Mr. Safik Dewan
Mr. Sourav Mondal
...for the petitioners.

Mr. Imran Ali
Mr. A. Islam
.....for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The victim was having an affair with the petitioner no. 1. The petitioner no. 2 is the mother of the petitioner no. 1. The victim purportedly committed suicide by hanging at his own house as his family was not accepting the petitioner no. 1 to become his wife. Thereafter, the uncle of the victim lodged the instant FIR making allegations against the petitioners and other family members of the girl. Other accused were granted anticipatory bail by the Sessions Judge.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and refers to the statements of witnesses including those of friends of the victim.

It will be for the Court to finally decide whether there is at all any element of abetment of suicide.

However, considering the nature of allegations and materials contained in the case diary, I do not think 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 cooperate with the investigation and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)