

13.05.2025
SL.36
Ct.No.28
NB

CRM (A) 1498 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Daulatabad P.S. Case No.33 of 2025 dated 10.02.2025 under Section 108 of the Bharatiya Nyaya Sanhita, 2023 pending before the learned Chief Judicial Magistrate, Murshidabad.

And

In the matter of : Moumita Mondal petitioner

Mr. Sabir Ahmed,
Ms. Tasnim Ahamed,
Mr. Dhiman Banerjee,
Mr. Ezaz Ahmed.
...for the petitioner.

Md. Anwar Hossain,
Ms. Snigdha Saha.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner and the victim had an affair. As the family of the boy did not accept the petitioner as his proposed wife, the victim committed suicide in his own house. Although the incident took place on 03.02.2025, the FIR was registered on 10.02.2025.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and relies on the case diary. He refers to the statements of a friend of the victim and other materials available in the case diary. In fact, one of the relatives of the petitioner in a statement before the Magistrate admitted that he did not know why the petitioner committed suicide.

It is for the learned Courts to finally decide whether there is at all any element of abetment of suicide in the instant case.

However, considering the materials available in the case diary and the delay in lodging the First Information Report, I do not think that custodial interrogation of the petitioner is required in this case.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition not to threaten or intimidate witnesses and to cooperate with the investigation.

The application for anticipatory bail being **CRM(A) 1498 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)