

AD 59
December 12, 2025
Ct. 28
SG

Allowed

CRM(A) 3992 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Santipur P.S. Case No.1144 of 2025 dated 06.09.2025 under Sections 108/3(5) of the BNS, 2023.

And

In the matter of:

Rakesh Das and others

... petitioners

Mr. Sayan De
Mr. Sayan Kanjilal
Ms. Esha Acharya

... for the petitioners

Mr. Arindam Sen
Ms. Sudeshna Das

... for the State

Learned counsel for the petitioners submits that the alleged victim was an old man of ill health who committed suicide. Before his death, he had filed a civil suit regarding land disputes against the neighbour. After his death, his wife filed this FIR alleging abetment of suicide against the petitioners. In the FIR itself, it is admitted that the couple were old and suffering from ailments and their son was not looking after them.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the statements of witnesses and the post-mortem report.

It will be for the Courts to finally decide whether there is any element of abetment of suicide in this case.

Considering the materials available in the case diary and the fact that charge-sheet has been submitted, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the petitioners shall surrender before the jurisdictional court and pray for bail within four weeks from this date and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)