

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

22.01.2025.
13/tkm

C.R.M. (A) 20 of 2025

In Re : An application for anticipatory bail under section 482 of
BNSS 2023 in connection with Mathabhanga P.S case no. 792 of
2024 dated 22.10.2024 under sections 108/3(5) of BNS 2023
And

Allowed

In Re : Jatu Barman

.....petitioner

Ms. M Das

...for the Petitioner

Mr. Abhijat Sarkar

Mr. Kallol Nag

...for the State

1. Petitioner submits ingredients of offence under section 108 of BNS 2023 are not disclosed against him. He prays for anticipatory bail.

2. Learned lawyer for the State opposes the prayer.

3. We have considered the material on record. In the FIR it is alleged petitioner used to make indecent proposal to the deceased's wife. When the deceased objected, he was abused. As a result he committed suicide. Whether hurling abuses *per se* would constitute instigation to commit suicide has to be assessed at the appropriate stage of the proceeding.

4. Under such circumstances, we are of the opinion custodial interrogation of the petitioner for progress of investigation is not necessary, however his movement requires to be restricted in order to instill confidence in the mind of the de facto complainant and other witnesses.

5. Accordingly, we direct that 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, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under section 482(2) of the BNSS 2023 and on further condition that the petitioner while on bail shall not enter the jurisdiction of Mathabhanga P.S and provide the address where he shall presently reside to the investigating officer and trial court and shall report to the Officer-in-Charge of the police station where he shall presently reside once in a week until further orders.

6. Petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

7. The application being CRM (A) 20 of 2025 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)