

20.01.2025.
53.
as
(Allowed).

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

C.R.M. (A) 999 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhaktinagar P.S. Case No.790 of 2024 dated 02.09.2024 under Sections 108/308(2)/115(2)/351(2)/3(5) of the BNS, 2023.

In the matter of : **Joy Gopal Roy**

... Petitioner.

Mr. Hillol Saha Podder.

...for the Petitioner.

Mr. Kallol Acharjee,
Mr. Biswaroop Roy.

.....for the State.

1. Petitioner contends victim had an illicit relation with one Anima Mondal. Victim blackmailed her. Anima lodged criminal case against the victim and the petitioner and others were falsely implicated. Victim committed suicide. Co-accused have been granted pre-arrest bail. He prays for similar relief.

2. Learned Advocate for the State opposes the prayer for anticipatory bail. He submits victim had recorded a dying statement in his mobile phone implicating the petitioner.

3. We have considered the materials on record including statement of the son of the victim. He stated his father had recorded a dying statement in his mobile phone alleging petitioner and others had blackmailed him. Materials have

surfaced during investigation that the victim had illicit relation with Anima Mondal. He was harassing her. Anima lodged criminal case against him. Possibility of commission of suicide due to mental stress arising out of the illicit relationship cannot be ruled out. Co-accused have been granted anticipatory bail. Custodial interrogation is not necessary.

4. Under such circumstances, we are inclined to grant similar relief to the petitioner.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall meet the investigating officer once in a week until further orders. He shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

6. This application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

