

10.03.2026
Sl. No.19
Ct. 28
NB

C.R.M (A) 482 of 2026

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 Baranagar PS Case No.24/2026 dated 27.01.2026 under Sections 108/3(5) of the Bharatiya Nyay Sanhita, 2023.

And

In the matter of: Tapasi Roy & Ors. ... petitioners

Mr. Dipayan Kundu,
Mr. Avinaba Patra
...for the petitioners.

Mr. Saibal Bapuli Id.APP.,
Ms. Singdha Saha.
...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners and the victim/deceased were all owners of a property. They had entered into a development agreement for promotion of the property. It is alleged that due to the inaction of the developer, as also certain actions of the present petitioners, the victim committed suicide. The petitioners have been falsely implicated in this case.

Learned Additional Public Prosecutor representing the State opposes the prayer for anticipatory bail. He relies on the statements of the witnesses, the postmortem report, and a purported suicide note present at page 77 of the case diary. The suicide note refers to supposed mental torture after the death of the victim's mother. It also reflects that the developer was not doing anything and was not even picking up the phone, and that all the problems have been thrust upon the victim.

This is a case of an unfortunate death purportedly due to mental anxiety and pressure that the victim might have faced.

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

However, considering the above, the other materials available in the case diary and the alleged role ascribed to the present petitioners, 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.

Accordingly, 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 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 that the petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner nos.2 and 3 shall meet the Investigating Officer once a week till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

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.)