

21.05.2026
Court No.28
Item No.72
ssi

CRM (A) 1373 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Kalyani Police Station Case No. 400 of 2026 dated 22.04.2026 under Sections 108/3(5) of the BNS 2023.

And

In the matter of: **Subhankar Sarkar @ Shubho Sarkar & another.**

.... Petitioners

Mr. Shibaji Kr. Das
Mr. Dipendu Sarkar
Ms. Deblina De

...for the petitioners

Mr. Pritam Roy

..Amicus

Memo of evidence filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The alleged victim had taken loans from several persons. Being unable to repay the same and being under pressure, he committed suicide in his own house. The petitioners have been falsely implicated in this case.

Learned Amicus assisting the State relies on the case diary and opposes the prayer for anticipatory bail. He relies on the post-mortem report and the statements of witnesses.

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

However, considering the materials available in the case diary, 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/- 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 further conditions that the petitioners shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioners shall meet the I.O. once a week till submission of report in final form.

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

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)