

92 28.11.2019
rkd Ct. No.28
(Allowed)

C.R.M. 11171 of 2019

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **27/11/2019** in connection with **Tufanganj** P.S. Case No. **524 of 2019** dated **07/09/2019** under Sections **302/201/34** of the Indian Penal Code.

And

In the matter of: Sarat Basak & Ors.

....petitioners.

Mr. B. Banerjee,
Mr. B. Mitra

...for the petitioners.

Mr. S. Banrerjee,
Mr. S. De

...for the State.

It is submitted on behalf of the petitioners that the victim was a private tutor of the daughter of petitioner no.1. He developed illicit relationship with his wife and over such issue committed suicide in their residence.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and submits that victim had died under suspicious circumstances in the residence of the petitioners.

We have considered the materials on record. We find from the notings in the post mortem report that the victim died due to hanging in nature which probabalises a case of suicide and in the light of the aforesaid facts and in the light of other attending facts and circumstances, we are 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 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 and on further condition that they shall appear before the court below and pray for regular bail within four weeks from date.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)