

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

19.08.2019.
162.
as
(Allowed).

C.R.M. 612 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 22.07.2019 in connection with Mekhliganj P. S. Case No.126 of 2019 dated 11.06.2019 under Sections 363/365 of the Indian Penal Code.

In the matter of : Prangobinda Kirttaniya & Ors.
... Petitioners.

Mr. Sudip Guha.
...for the Petitioners.

Mr. Aditi Shankar Chakraborty, Id.A.P.P.,
Mr. Sourav Ganguly.
.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioners that they are the relations of the principal accused who is presently in custody.

Learned Advocate appearing for the State opposes the prayer for bail and submits that the petitioners had abetted the principal accused in commission of the crime.

We have considered the materials on record and in view of the extent of complicity of the petitioners in the alleged crime and as the principal accused is presently in custody, we are of the opinion that custodial interrogation of the

petitioners for progress of investigation is not necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioners viz., Prangobinda Kirttaniya, Purna Kirttaniya and Ramprosad Kirttaniya 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the trial court and pray for regular bail within four weeks from date.

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

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)