

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

30.08.2019
tkm/ct 1
sl no. 26

C.R.M. 835 of 2019

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 28.8.2019 in connection with Matigara P.S case no. 301 of 2019 dated 10.5.2019 under sections 302/201/120B/34 of the IPC

And

Allowed

In Re : Rakesh Singha petitioner

Mr. Arnab Saha

..... for the petitioner

Mr. A. K. Sarkar

Mr. A. Sarkar

..... for the State

It is submitted on behalf of the petitioner that he is a relation of a co-accused Monindra Singh. It is alleged that he helped in disposal of the body of the deceased.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the petitioner conspired with other co-accused persons to commit the murder and helped them to dispose of the dead body.

We have considered the materials on record including the statement of one Kishore Bhagat recorded under section 164 Cr.P.C. disclosing an extra judicial confession of co-accused Sumana which does not implicate the petitioner in the murder of the deceased.

Keeping in mind the extent of complicity of the petitioner in the alleged crime and as investigation is complete, we are inclined to grant anticipatory bail to the petitioner.

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 also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and that the petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 835 of 2019 is disposed of.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)