

30.09.2019
tkm/ct 28
sl no. 88

C.R.M. 9005 of 2019

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 19.9.2019 in connection with Falakata P.S case no. 362 of 2019 dated 15.7.2019 under sections 302/379/120B/34 of the Indian Penal Code

And

Allowed

In Re : Kalyani Roy @ Kalyani Barman @ Kalpana Barman & Ors.

.....

petitioners

Mr. Sourav Chatterjee

..... for the petitioners

Mr. S. Bapuli

Mr. B. Bhattacharyya

..... for the State

It is submitted on behalf of the petitioners that the victim consumed poison and died. There is no material to show that the petitioners had murdered the victim.

Learned lawyer for the State opposes the prayer for anticipatory bail.

Having considered the materials in the case diary and bearing in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner which is corroborated by the entries in the medical papers at page 46 of the case diary, we are of the opinion that custodial interrogation of the petitioners may not be necessary and they may be granted anticipatory bail.

Accordingly, we direct that 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 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and that the petitioners shall appear

before the court below and pray for regular bail within four weeks from date.

The application being CRM 9005 of 2019 is disposed of.

(Jay Sengupta, J.)

(Joymalya Bagchi, J.)