

04.09.2020.

35.

as

(Allowed).

C.R.M. 5488 of 2020
With
C.R.A.N.1 of 2020
(Old. No.C.R.A.N.3819 of 2020)
(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Durgapur P. S. Case No.502 of 2019 dated 17.10.2019 under Sections 306/120B of the Indian Penal Code.

In the matter of : Shib Sankar Gorai.

... Petitioner.

Mr. Uday Sankar Chattopadhyay,
Mr. Santanu Maji.

...for the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Santanu Deb Roy.

.....for the State.

Heard the learned Advocates appearing for the parties.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Accordingly, the application, being CRAN 1 of 2020 (Old No. C.R.A.N.3819 of 2020), is disposed of.

It is submitted on behalf of the petitioner that they are the family members of the victim girl and there are no ingredients of the offence punishable under Section 306 of the Indian Penal Code.

Learned Advocate appearing for the State opposes the prayer for bail.

Having considered the materials on record and keeping in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner and as the victim did not leave behind any suicide note implicating the petitioner, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner, viz., Shib Sankar Gorai 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

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

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)