

28.09.2020
Sl. No.45
akd
[ALLOWED]

C. R. M. 7084 of 2020 [via video conferencing]
(CRAN 1 of 2020)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 15.09.2020 in connection with Bankura Police Station Case No. 275 of 2019 dated 04.11.2019 under Sections 302/34 of the Indian Penal Code.

And

In Re: **Baidyanath Chowdhury & Anr.**

... .. Petitioners

Mr. Soumik Ganguli .. Advocate

... .. for the petitioners

Mr. Prasun Kumar Datta .. Ld. Addl. Public Prosecutor

Mr. Nirupam Dhali .. Advocate

... .. for the State

Petitioners undertake 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 conferencing.

The application being CRAN 1 of 2020 is accordingly, disposed of.

It is submitted on behalf of the petitioners that the principal accused i.e. Arup Chowdhury suffers from insanity. In a fit of mental illness, he committed the murders.

Learned Additional Public Prosecutor opposes the prayer for anticipatory bail and submits that the petitioners are the relations of the principal accused.

Having considered the materials on record and keeping in mind the extent of complicity of the petitioners in the alleged crime in the light of the aforesaid submission made on their behalf, we are of the opinion that custodial interrogation of the accused/petitioners is not necessary in the facts of the present case and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely **(1) *Baidyanath Chowdhury* & (2) *Sudhon Chowdhury***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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.

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

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Kausik Chanda, J.)

(Joymalya Bagchi, J.)