

21.10.2020
SL No. 167
Sdas
allowed

CRM 8443 2020
(via video conferencing)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chopra P.S. Case No. 481 of 2020 dated 20.07.2020 under Sections 363/302/34 of the Indian Penal Code.

In the matter of : Shahin AkhatarPetitioner.

Mr. Diksha Ghosh
...for the Petitioner.

Mr. Swapan Banerjee
Ms. Sima Biswas

...for the State.

It is submitted by the learned Counsel appearing for the petitioner that an inter-religious couple had committed suicide. Petitioner has been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes the prayer for anticipatory bail and produces the case diary.

We find that the victim had died due to poisoning. Admittedly, there was a love affair between the deceased and a girl, who is an associate of the petitioner. Keeping in mind the extent of complicity of the petitioner in the alleged crime and the absence of clear forensic finding or other materials to show that the victim had suffered homicidal death, we are of the opinion though custodial interrogation of the petitioner is not necessary but he requires to co-operate with investigation in accordance with law.

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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that he shall meet the investigating officer once in a week until further orders.

This application for anticipatory bail is, thus, allowed.

(Abhijit Gangopadhyay, J.)

(Joymalya Bagchi, J.)