

21.12.2020

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CRM 9829 of 2020

(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bagmundi P.S. Case No.117 of 2020 dated 03.11.2020 under Sections 498A/306/34 of the Indian Penal Code.

And

In the matter of: Krishna Prasad Saw @ Kristo Saw & Ors.

....Petitioners.

Mr. Manoranjan Mahata

Ms. Sonali Das

...for the Petitioners.

Mr. Imam Ali

Mr. P. Bose

...for the State.

Investigating officer is present in court. Report is placed on record. His presence is noted and dispensed with.

From the above report we note that there are multiple injuries in the body of the victim.

It is contended on behalf of the petitioner that the victim left the matrimonial home on the fateful day and her dead body was recovered near the train tracks.

We have considered the materials on record. We note that the incident occurred 25 years after marriage. Whether the victim suffered homicidal death or suicidal/accidental death is to be ascertained at the appropriate stage of the proceeding in accordance with law.

In view of the aforesaid factual matrix and the extent of complicity of the petitioners in the alleged crime and taking into consideration the advanced age of the petitioner Nos.1 and 2, we are of the opinion that custodial interrogation may not be necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners 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 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 allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)