

24.12.2020
76
Sdas
allowed

**CRM 10572 of 2020
(via video conference)**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Pukhuria P.S. Case No. 221 of 2020 dated 16.07.2020 under Sections 302/201 of the Indian Penal Code.

And

In Re : Sk. Kalam

.....petitioner.

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

...for the petitioner.

Mr. Rana Mukherjee
Mr. Suman Saha

...for the State.

Learned Counsel appearing for the petitioner submits that his complicity has transpired from the statement of the principal accused. He assisted the principal accused to dispose the dead body.

Learned Counsel appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Petitioner assisted the principal accused to dispose the dead body which was found floating in the river.

In view of the extent of complicity of the petitioner in the alleged crime, we are of the opinion that custodial interrogation of the petitioner may not be necessary and petitioner may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) 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.

The application for anticipatory bail is, thus, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)