

05.03.2021
Item no.10
Court No.28
Avijit Mitra

C.R.M. 465 of 2021 (through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Contai Police Station Case No.364 of 2020 dated October 14, 2020 under Sections 306/34 of the Indian Penal Code;

And

In Re : Dulal Maity

.... Petitioner

Mr. K.C. Das,
Sk. Sahjahan Ali

...for the petitioner

Mr. Saswata Gopal Mukherjee, Ld. P.P.,
Ms. Faria Hossain,
Ms. Sonali Das

...for the State

Learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the instant case. Additionally learned advocate submits that there were business transactions. However, there were never a dispute which would abet the deceased to end his life.

Learned advocate appearing for the State opposes the petitioner's prayer and draws the attention of the court to the statements of the witnesses.

We have perused the materials in the case diary and on an assessment of the same, we are of the opinion that although there are allegations against the present petitioner but the same may not warrant custodial detention. Accordingly, the prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Dulal Maity**, shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, 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..

The petitioner would meet the Officer-in-Charge, Contai Police Station once in a week or until further orders.

Accordingly, the application being C.R.M. No. 465 of 2021 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)