

21.05.2021
tkm/ct 28
sl no. 37

C.R.M. 1482 of 2021
(Via video conference)

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Nandakumar P.S case no. 330 of 2020 dated 19.10.2020 under sections 302/120B of the Indian Penal Code
And

Allowed

In Re : Abu Bakkar Khan & Anr. petitioners

Mr. Kallol Mondal

..... for the petitioner

Mr. N Ahmed

Md. Anwar Hossain

Ms. Sreyashee Biswas

..... for the State

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail and refers to the statement of the witnesses recorded under section 161 Cr.P.C. Charge sheet has been submitted under section 306 IPC.

We have considered the materials on record. It is a matter to be decided at the appropriate stage of the proceeding whether the conduct of the petitioners constitutes abetment to suicide or not.

Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- 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.

The application being CRM 1482 of 2021 is disposed of.

(Suvra Ghosh, J.)

(Soumen Sen, J.)