

16.08.2021

CRM 2146 of 2021

Court No.28
Item No.09
(Allowed)

Akd
&
As

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Pingla Police Station Case No. 41 dated 03.02.2020 under Sections 306/506 of the Indian Penal Code;

And

In the matter of : **Kartick Ghata @ Kartik Ghanta.**
...Petitioner

Mr. Navanil De,
Mr. Rajeshwar Chakraborty.

...For the Petitioner

Mr. N. Ahmed,
Mr. Anwar Hossain,
Ms. Ratna Ghosh.

...For the State.

Apprehending arrest in connection with Pingla Police Station Case No. 41 dated 03.02.2020 under Sections 306/506 of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail.

Indubitably the petitioner had an extramarital relationship with the deceased lady with whom he went for a treat to Digha along with her minor daughter. The statement of the minor daughter is also recorded during investigation.

It is not in dispute that the deceased consumed poison and succumbed to it. The First Information Report is lodged after 17 days of the incident at the behest of the husband of the deceased lady.

After perusing the statements of the witnesses and the other materials available from the case diary and considering the fact that charge sheet has already been submitted, we do not find any justification in custodial interrogation of the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

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, one of whom must be local, to the satisfaction of the arresting officer of the concerned police station subject to the

condition that the petitioner shall appear before the Trial Court on every date of hearing and on further conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In the event, the petitioner fails to do so without any justifiable cause, the Trial Court shall be at liberty to pass an appropriate order in accordance with law without further reference to this Court.

The application for anticipatory bail, being CRM 2146 of 2021 is thus **disposed of**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)