

13.12.2021

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Allowed

**C.R.M. 3810 of 2021
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Moyna Police Station Case No. 131 of 2021 dated 22.05.2021 under Sections 302/34 of the Indian Penal Code.

And

In Re : Sephali Das & Ors. petitioners

Mr. Ritam Chowdhury

....for the petitioners

Mr. Swapan Banerjee

Ms. Purnima Ghosh

....for the State

Ms. Manashi Roy

.... for the defacto complainant

Learned Counsel appearing for the petitioners submits the victim died due to suicidal hanging. Petitioners have been falsely implicated in the instant case due to prior enmity.

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

We have considered the materials on record. Contention of the petitioners that the victim died due to suicidal hanging is corroborated by the findings in the postmortem report.

In view of the aforesaid facts, we are of the opinion that this is a fit case 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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioners shall meet the investigation officer once in a week until further orders. They shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)