

07.10.2021

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Ct. No. 29

sdas

Allowed

C.R.M. 4102 of 2021
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Raiganj Police Station Case No. 979 of 2015 dated 25.08.2015 under Sections 302/34 of the Indian Penal Code subsequently charge-sheet submitted under Sections 306/34 of the Indian Penal Code.

And

In Re : Sushiladebi Mahato & Ors. petitioners

Mr. Anindya Ghosh
Mr. Sudip Guha

.....for the petitioners

Mr. Binay Panda
Mr. Subham Bhakat
Ms. Puspita Saha

.....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the victim was an accused in a previous criminal case where he was in custody. After he was granted bail, the victim picked up a quarrel with the petitioners. Thereafter the victim committed suicide. Learned advocate points out that initially, the first information report was, inter alia, under Section 302 of the Indian Penal Code. Police submitted charge-sheet under Section 306 of the Indian Penal Code.

Learned advocate appearing for the State draws the attention of the Court to the statement recorded under Section 161 of the Code of Criminal Procedure.

Considering the facts and circumstances of the case and considering the fact that police submitted charge-sheet, 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/- (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 appear before the jurisdictional court on every date fixed for trial and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)