

13.08.2021

Sl. No. 04

Srimanta

Ct. No. – 32

D/L

CRM/4711/2021

(Via Video Conference)

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973.

In the matter of : Soumen Metya @ Matya.

... petitioner.

Mr. Shibaji Kumar Das, Adv.,

Ms. Rupsa Sreemani, Adv.

...for the petitioner.

Mr. Pradipta Kumaar Ganguly, Adv.

...for the State.

The petitioner submits that the victim who was his wife died of covid. Referring to various documents including the death and cremation certificates of the victim the petitioner points out that the cause of death of the victim has been recorded as 'natural'.

The State refers to the material in the Case Diary including statement of the father of the petitioner and neighbours.

Upon considering all material in the Case Diary it, prima facie, appears that the victim died of covid. There is no prima facie material which suggests any connection between the petitioner and the death of the victim which appears to be 'natural'.

In view of the material available in the Case Diary and the extent of the petitioner's complicity in the alleged offence we are of the view that immediate custodial interrogation of the petitioner may not be necessary so long as he cooperates with the Investigating Officer.

Accordingly, 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 and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. No. 4711 of 2021 is, thus, **allowed**.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)