

16.12.2021
tkm/ct 28
sl no. 84

C.R.M. 6441 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Joypur P.S case no. 35 of 2021 dated 4.3.2021 under sections 302/34 IPC subsequently charge sheet submitted under sections 306/34 of the Indian Penal Code
and

Allowed

In Re : Ananda Jana & Ors.

..... petitioners

Mr. M Islam Kayal

..... for the petitioners

Mr. Swapan Banejee

Ms. P Ghosh

..... for the State

It is submitted on behalf of the petitioners that charge sheet has been filed under section 306 IPC and they have been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the materials on record including the suicide note at page 42. Petitioner no. 3 is named in the suicide note as one of the persons who threatened to murder the wife and child of the deceased. In view of the prima facie involvement of petitioner no.3 in the alleged crime, we are not inclined to grant anticipatory bail to him.

However, bearing in mind the extent of complicity of petitioner nos. 1, 2 and 4 in the alleged crime, we are inclined to grant anticipatory bail to them.

Accordingly, we direct that in the event of arrest, the petitioner nos. 1, 2 and 4 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 and that petitioner nos. 1, 2 and 4 herein shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 6441 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)