

17.12.2021
tkm/ct 28
sl no. 68

C.R.M. 8044 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Dalkhola P.S case no. 52 of 2021 dated 5.4.2021 under sections 302/201/34 of the Indian Penal Code

And

Allowed

In Re : Rajib Kumar Singha @ Rajib Singha petitioner

Ms. B Khatoon

..... for the petitioners

Ms. Anasuya Sinha

Mr P K Mitra

..... for the State

It is submitted on behalf of the petitioner that he is not named in the FIR. It is further submitted that the victim died due to suicidal hanging.

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

We have considered the materials on record. Petitioner is not named in the FIR. He was not last seen with the deceased. Post mortem report records non-continuous ligature mark in a case of hanging which probabalises the submission of the petitioner with regard to the cause of death.

In view of the aforesaid facts we are of the opinion there is slender material connecting the petitioner with the unfortunate death of the deceased.

Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that 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, 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.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 8044 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)