

17.12.2021
cm/ct 28
sl no. 104

C.R.M. 8182 of 2021

In Re : An application for Anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Chinsurah P.S Case No. 273 of 2021 dated 02.07.2021 under Sections 302/34 of the Indian Penal Code.
And

Allowed

In Re : Biswajit Rahaman @ Sk. Biswajit Rahaman
..... petitioner

Mr. Prasenjit Debnath
..... for the petitioner

Mr. Madhusudan Sur, A.P.P.
Mr. Manoranjan Mahata
..... for the State

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case. The victim did not suffer homicidal death.

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

We have considered the materials on record. Petitioner was not last seen with the deceased. From the statements of witnesses it appears complicity of the petitioner is inferential. Investigation is complete. In view of the aforesaid fact, we are of the opinion petitioner may be granted pre-arrest bail.

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 two weeks from date.

The application being CRM 8182 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)