

21.12.2021.
88.
as
(Allowed).

C.R.M. 8578 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tehatta P. S. Case No.655 of 2021 dated 06.12.2021 under Sections 448/325/307/506/34 of the Indian Penal Code.

In the matter of : Monimohan Poddar & Anr.
... Petitioners.

Mr. Amanul Islam,
Mr. Sourav Mukherjee.
...for the Petitioners.

Mr. Arijit Ganguly,
Ms. Sujata Das.
.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case out of previous grudge.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Whether the petitioners intended to murder the deceased requires to be assessed in the light of the nature and situs of injuries during trial.

In the facts and circumstances of the case, we are of the opinion custodial interrogation of the petitioner is not necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioners 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 .

This application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)