

43 23.12.2021
(AD)
Court No.29
(Allowed)

**C.R.M. 8786 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jamuria** P.S. Case No. **271 of 2021** dated **07/07/2021** under Sections **304/34** of the Indian Penal Code, 1860.

And

In the matter of: Anandamoy Thandar @ Ananda Thandar & Ors.
....petitioners.

Mr. Sourav Chatterjee
Mr. Avik Ghatak
Mr. Abhinav Rakshit

...for the petitioners.

Mr. Navenil De

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the deceased entered into the house of the petitioners in a drunken state whereupon the incident took place. He refers to the post-mortem report which notes the cause of death as the diseased condition of heart.

Learned Advocate appearing for the State refers to the post-mortem report of the deceased.

Considering the post-mortem report which states that the cause of death was due to the effect of the diseased condition of the heart with signs of assault using stick and considering the nature of external injury noted in the post-mortem report and considering the fact that the police submitted charge sheet, we grant anticipatory bail to the petitioners.

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 also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the jurisdictional Court on the dates fixed for trial and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 8786 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)