

25.03.2021

p.b.  
S.L. No.3

CRM 10854 of 2020

In re:- An application for bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Nimta Police Station Case No.150 of 2000 dated 04.03.2020 under Sections 363/302/201/34 of the Indian Penal Code.

In re: Matrina Nandi nee Chatterjee & Ors.

.....Petitioners

Mr. Koustav Bagchi,  
Mr. Debayan Ghosh.

.....for the petitioners.

Mr. Rudradipta Nandy.

.....for the State.

The learned advocate appearing for the petitioners submits that the petitioners are innocent of the charges and they have been falsely implicated in the instant case. Additionally, the learned advocate submits that the petitioners being relations are willing to co-operate with the investigation for unearthing the truth.

Mr. Nandy, learned advocate appearing for the State opposes the prayer for bail and draws the attention of this Court to the statement of the witnesses, namely, the father, mother, elder brother and elder sister-in-law of the deceased. The learned advocate also draws the attention of the Court to the *post mortem* report and the case diary.

We have perused the statement of the witnesses, the *post mortem* report and the relevant documents to which our attention has been drawn in

the case diary. On appreciation of the same, we are of the opinion that custodial detention of the petitioners may not be warranted in the facts and circumstances of the case.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, 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 and on a further condition that the petitioners shall meet the Investigation Officer of the case once a week until further orders.

The petitioner nos.1 and 3 will make themselves available as and when called for by the Investigating Officer of the case and the petitioner nos.2 and 4 shall meet with the Investigating Officer of the case of Nimta Police Station once a week until further orders. The petitioners shall not leave the jurisdiction of Nimta Police Station without the prior permission of the Court.

The application for anticipatory bail being CRM 10854 of 2020, is, thus, disposed of.

The case diary is returned to Mr. Nandy,  
learned advocate for the State.

**(Tirthankar Ghosh, J.)      (Tapabrata Chakraborty, J.)**