

6 15.03.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 1214 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **New Township** P.S. Case No.**93** dated **30/07/2020** under Sections **302/120B** of the Indian Penal Code.

And

In the matter of: Riten Dutta & Anr.

....petitioners.

Mr. Monish Sen
Ms. Oisani Mukherjee

...for the petitioners.

Mr. Swapan Banerjee
Mr. Anindya Sundar Chatterjee

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the victim committed suicide. The petitioners are sought to be falsely implicated. He submits that two other co-accuseds were granted anticipatory bail by the coordinate Bench.

Learned Advocate appearing for the State draws the attention of the Court to the post-mortem report and the materials in the case diary.

The post-mortem report states that the death was due to asphyxia following ante-mortem suicidal hanging. The coordinate Bench on February 25, 2022 granted anticipatory bail to the other co-accuseds in CRM 8984 of 2021. The coordinate Bench noted that the factum of suicide stands corroborated by the post-mortem report.

Considering the gravity of the offence and the involvement

of the petitioners therein and considering the post-mortem report and considering the order of the coordinate Bench dated February 25, 2022 in granting anticipatory bail to two other co-accuseds, 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/- (Rupees Ten Thousand Only) 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 meet the Investigating Officer once a fortnight till the conclusion of the investigation and that the petitioners shall appear before the jurisdictional Court and pray for regular bail within four weeks from date.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 1214 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)