

21.03.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1307 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gangnapur** Police Station Case No. **53** of **2022** dated **01.03.2022** under Sections 341/323/325/376/417/34 of the Indian Penal Code.

And

In Re : Riya Majumdar & Ors.

..... petitioners

Ms. Sananda Bhattacharya

....for the petitioners

Mr. Arijit Ganguly

Mr. Sanjib Kumar Daan

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, there was a relationship between the de-facto complainant and the petitioner no. 2. The present police complaint is a result of the relationship turning sour.

Learned advocate appearing for the State draws the attention of the Court to the statement of the de-facto complainant recorded under Section 161 of the Code of Criminal Procedure. He submits that, the de-facto complainant consumed poison.

Considering the injury report of the victim which does not speak of any poison being administered to her and considering the fact that the victim herself acknowledges the

past relationship between her and the petitioner no. 2 and considering the gravity of the offence and the involvement of the petitioners therein, we deem it appropriate to 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner nos. 2 (Bappa Majumdar) and 4 (Tarapada Majumdar) shall meet the Investigating Officer once in a month till the conclusion of the investigation and petitioner nos. 1 (Riya Majumdar) and 3 (Abha Majumdar) shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioners shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

