

01.04.2022

Sl. 07
Court No.29
suvayan
(Allowed)

CRM (A) 1491 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** P.S. Case No. **46 of 2022** dated **10/01/2022** under Sections **306/34** of the Indian Penal Code, 1860.

And

In the matter of: Lalita Mahato & Anr.

....petitioners.

Mr. Mrityunjoy Chatterjee

...for the petitioners.

Mr. Saibal Bapuli

Mr. Arani Bhattacharjee

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that there was a relationship between the victim and the second petitioner. Petitioners were falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the post-mortem report of the victim.

It appears from the post-mortem report that the victim died due to effects of hanging ante-mortem in nature. There is an injury mark on body of the victim as noted in the postmortem report to the effect of one non-continuous ligature mark placed high up around the neck.

Considering the post-mortem report of the victim and considering the gravity of the offence and the involvement of the petitioner therein, 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 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 cooperate with the Investigating Office 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 1491 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)