

06.04.2022
Serial no. 22
[Dd]
(Anticipatory Bail
Allowed)

CRM(A) 1583 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Bagdah** Police Station Case No. **674** of **2021** dated **20.09.2021** under Sections **306/34** of the Indian Penal Code.

-And-

In the matter of : **Shyamal Mondal & Ors.**

... .. Petitioners

Mr. Subhendu Bhattacharjee,
Mr. Somnath Majuder, Advocates
... .. *For the Petitioners*

Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty, Advocate
... ..*For the State*

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

It appears that from the post mortem report that the death was due to cardio-respiratory failure. No external injury or any other injury was noted in the postmortem report.

Considering the gravity of the offence and the involvement of the petitioners therein and considering the postmortem report of the victim, we are inclined 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/- (Rupees Ten Thousand Only) 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. 1 and 4 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner nos. 2 and 3 shall cooperate with the investigation till its conclusion and on further 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM(A) 1583 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)