

21.04.2022

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Ct. No. 29

**KAUSHIK**

Allowed

**C.R.M.(A) 1805 of 2022**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hogolberia** Police Station Case No. **67** of **2022** dated **06.03.2022** under Section 306 of the Indian Penal Code, 1860.  
And

In Re : Rakesh Mandal

..... petitioner

Mr. Manas Kumar Das

....for the petitioner

Mr. Subham Bhakat

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the statement of a neighbour recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.) and to the post mortem report of the victim.

The post mortem report of the victim states that, the death was due to hanging, which is suicidal in nature.

Considering the post mortem report of the victim and considering the materials in the case diary, the gravity of the offence and the involvement of the petitioner therein as

transpiring from the materials in the case diary, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 shall meet the Investigating Officer once in a week till the conclusion of the investigation and on condition that the petitioner 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 petitioner 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.)**