

16.06.2022

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Allowed

C.R.M. (A) 2618 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 650 of 2019 dated 28.10.2019 under Sections 341/325/326/307/302/34 of the Indian Penal Code.

And

In Re : Dipak Gope @ Dipak Kumar Gope

..... petitioner

Mr. Soumyajit Das Mahapatra

.....for the petitioner

Mr. Neguive Ahmed, learned APP

Ms. Trina Mitra

....for the State

It is submitted by the learned Counsel appearing for the petitioner that the victim died due to a road accident.

Learned Counsel appearing for the State opposes prayer for anticipatory bail and submits that the statements of the witnesses give a different picture.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the contradictory materials collected during investigation with regard to cause of death and as co-accuseds had been granted regular bail, we are of the opinion that custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of

Rs.10,000/- (Rupees Ten Thousand Only), 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 condition that the petitioner shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)