

27.06.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3014 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhimpur** Police Station Case No. **133** of **2022** dated **11.04.2022** under Sections 306/34 of the Indian Penal Code, 1860.

And

In Re : Sanjit Sarkar & Ors.

..... petitioners

Mr. Prabir Majumdar

....for the petitioners

Mr. Debabrata Chatterjee

Ms. Mousumi Sarkar

....for the State

Petitioners pray for 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 post mortem report and to the statement of the brother of the victim recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.).

In the 161 Cr.P.C. statement of the brother of the victim, it is claimed that there was a relationship between the victim and the petitioner no. 3.

Considering the post mortem report of the victim, the 161 Cr.P.C. statement of the brother of the victim, we deem it appropriate to enlarge the petitioners on anticipatory bail.

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 that the petitioner nos. 1 (Sanjit Sarkar) and 3 (Subhankar Sarkar) shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and petitioner no. 2 (Renuka Sarkar) 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.)

