

05.07.2022
Serial no. 15
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 3141 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **849** of **2021** dated **17.11.2021** under Sections **498(A)/306/34** of the Indian Penal Code.[Corresponding to G.R. No.- **2744/2021**]

-And-

In the matter of : **Abdul Mannan**

... ... Petitioner

Mr. Kallol Mondal,
Mr. Krishan Ray,
Mr. Arup Sarkar,
Ms. Sabnam Laskar, Advocates
... ... *For the Petitioner*

Mr. Pravas Bhattacharya,
Mr. MFA Begg, Advocate
... ...*For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that all other co-accuseds were enlarged on bail by the jurisdictional Court. The petitioner was working for gains at Rajasthan where the incident happened. He submits that the allegations as against the petitioner are at best omnibus in nature.

Learned advocate appearing for the state draws the attention of the Court to the statements recorded under Section 161 of the Criminal Procedure Code and to the postmortem report of the victim.

The postmortem of the victim suggests suicide. The other co-accuseds were enlarged on bail by the jurisdictional Court. The claim of the petitioner that he was working for

gains at Rajasthan cannot be overlooked at this stage. The police, however, filed charge sheet.

In the circumstances, we are inclined to 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/- (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 further condition that the petitioner shall appear on every date 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.

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

CRM (A) 3141 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)