

05.07.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3149 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sagarpara** Police Station Case No. **91** of **2022** dated **05.05.2022** under Sections 306/34 of the Indian Penal Code, 1860.

And

In Re : Indajul Molla @ Indadul Molla

..... petitioner

Ms. Minoti Gomes

....for the petitioner

Mr. S. G. Mukherjee, learned Public Prosecutor

Mr. Partha Pratim Das

Ms. Manasi Roy

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner is the father of the principal accused. The principal accused was enlarged on bail by the Jurisdictional Court. She submits that, there was a relationship between the principal accused and the victim.

Learned advocate appearing for the State submits that, the police are yet to conclude the investigation.

Considering the fact that the principal accused was enlarged on bail by the Jurisdictional Court and considering the post mortem report of the victim and 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 a month till the conclusion of the investigation and on 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)