

23.08.2022
Sl.8
Court No.29
(AD)
(Allowed)

C.R.M. (A) 3978 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Basirhat** Police Station Case No. **228** of **2022** dated **19.04.2022** under Sections **302 & 34** of the Indian Penal Code, 1860.

And

In the matter of: **Sanjay Das @ Sanjay Kumar Das**

....petitioner.

Mr. Siddhartha Sarkar

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP

Mr. Arani Bhattacharyya

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated.

Learned Additional Public Prosecutor appearing for the State draws the attention of the Court to the post-mortem report of the victim as also to the statements recorded under Section 161 of the Code of Criminal Procedure. He submits that out of five FIR named accused, four were arrested.

The post-mortem report suggests that the death was due to the suicide committed by the victim. The police are investigating under Section 302 of the Indian Penal Code, 1860 against the petitioner.

In view of the post-mortem report of the victim, 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/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of

the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer as and when called for 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 3978 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)