

31.08.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 4165 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ghola** Police Station Case No. **116** of **2022** dated **27.02.2022** under Sections 325/354/506/509/306/166A/34 of the Indian Penal Code, 1860.

And

In Re : Mita Guha

..... petitioner

Mr. Sabyasachi Mukherjee
Mr. Bibek Dey
Ms. Debarati Chaudhury
....for the petitioner

Mr. Bidyut Kumar Roy
Ms. Sima Biswas
....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the suicide note left behind by the deceased.

The post mortem report of the victim suggests that the deceased died due to the effects of ante-mortem hanging. The suicide note suggests that the police are to be blamed for the suicide.

The petitioner before us is the neighbour.

In such circumstances, 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 cooperate with the Investigating Officer 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.)

(Md. Shabbar Rashidi, J.)