

20.09.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 4484 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **494** of **2022** dated **17.06.2022** under Sections 363/323/325/354/34 of the Indian Penal Code, 1860 and Section 8 of the Protection of Children from Sexual Offences Act.

And

In Re : Dipankar Das & Ors.

..... petitioners

Mr. Atis Kumar Biswas

Mr. Amit Singh

....for the petitioners

Ms. Sreeparna Das

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the son of the petitioner no. 3 and the daughter of the de-facto complainant were in a relationship. The son and the daughter went in a mango garden for the purpose of committing suicide. The son consumed poison and expired. The daughter fled away. The present police complaint is a counter-blast to the unnatural death of the son of the third petitioner.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

The materials in the case diary suggest that the son of the third petitioner expired by consuming poison.

The issue of the petitioners being falsely implicated cannot be overlooked at this stage.

In such circumstances, we grant anticipatory bail to the petitioners.

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 the petitioner nos. 1 (Dipankar Das), 2 (Nabakumar Das) and 4 (Nimai Das) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner no. 3 (Madhabi Das @ Madhuri Das) shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioners 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 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.)

(Md. Shabbar Rashidi, J.)

