

07.11.2022

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Ct. No. 29

S.D.

Allowed

C.R.M.(A) 4924 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raniganj** Police Station Case No. **362** of **2022** dated **26.06.2022** under Sections 302/120B of the Indian Penal Code, 1860.

And

In Re : Joydev Khan

..... petitioner

Mr. Souvik Mitter

Mr. Tanmoy Chowdhury

Ms. Ritoprita Ghosh

....for the petitioner

Mr. Pravas Bhattacharyya

Mr. Suman De

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was the employer of the victim.

The petitioner was falsely implicated in the police case along with his family members at the behest of the father of the deceased employee. According to him, the employee committed suicide.

Learned advocate appearing for the State has drawn the attention of the Court to the materials in the case diary including the post mortem report of the victim, the report of the forensic science laboratory and the report of the post mortem doctor after consideration of the FSL report. The post mortem

report of the victim does not suggest that the victim suffered any external injury. The post mortem report suggests that the victim committed suicide. The report of the forensic expert is in the same vein.

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 meet the Investigating Officer once a fortnight 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.)

