

07.11.2022

69

Ct. No. 29

S.D.

Allowed

C.R.M.(A) 4970 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No. **397** of **2021** dated **31.3.2021** under Sections 302/34 of the Indian Penal Code, 1860.

And

In Re : Udip Kanjilal & Anr.

..... petitioners

Mr. Rana Mukhopadhyay
....for the petitioners

Mr. Sanjoy Bardhan
Mr. Palash Chandra Majhi
....for the State

Leave is granted to the learned advocate for the petitioners to correct the cause title of the petition.

The statement of the eyewitness recorded under Section 164 of the Cr.P.C. does not implicate the petitioners in the murder.

The materials in the case diary do not suggest direct involvement of the petitioners.

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

Accordingly, we direct that in the event of arrest, the petitioner 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 shall meet the Investigating Officer once a fortnight 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 of the second petitioner is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)