

09.11.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5090 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chandipur** Police Station Case No. **284** of **2022** dated **11.08.2022** under Sections 302/201/120B of the Indian Penal Code, 1860.

And

In Re : Kanailal Pradhan

..... petitioner

Mr. Amal Krishna Samanta
....for the petitioner

Mr. Rudradipta Nandy
Ms. Sreeparna Das
....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 post mortem report of the victim and the statement recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.).

Apparently, the deceased was holding a post in Cooperative Bank. The decomposed body of the deceased was found. The post mortem report of the deceased states that, there is no internal or external injury found on the body of the deceased. The deceased died due to consumption of poison.

The 161 Cr.P.C. statement suggest that, there was an altercation between the deceased and other members of the institution.

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 week 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.)

