

06.01.2023

Sl.24

Court No.29

(AD)

(Allowed)

C.R.M. (A) 41 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dumdum** Police Station Case No.**55 of 2022** dated **23.01.2022** under Sections **302/120B/506** of the Indian Penal Code.

And

In the matter of: **Sandip Shaw & Anr.**

....petitioners.

Mr. Subrato Roy
Mr. Sankar Halder

...for the petitioners.

Ms. Anasuya Sinha
Mr. Pinak Kumar Mitra

...for the State.

Petitioners pray for anticipatory bail.

The police complaint was lodged 36 days after the incident.

The second petitioner took the victim to the hospital.

The dead body of the victim was released to the principal accused.

Considering the materials in the case diary and the complicity of the petitioners in the incident, 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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report before the Investigating Officer once a week 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 41 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)