

18 09.02.2023
(AD)

Court No.29
(Partly
Allowed)

C.R.M. (A) 571 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Garhbeta** P.S. Case No.**341 of 2022** dated **15/06/2022** under Sections **498A/302/34** of the Indian Penal Code, 1860.

And

In the matter of: **Sourav Roy @ Sourav Kanti Roy & Ors.**

....petitioners.

Mr. Dhananjoy Banerjee

...for the petitioners.

Mr. Saswata Gopal Mukherji, Ld. PP

Mr. Aniket Mitra

...for the State.

Petitioners pray for anticipatory bail.

Apparently, the victim died an unnatural death.

The investigations are continuing and the police are investigating a case of murder. There is a diary left behind by the deceased where, the deceased claimed that he was being threatened with murder by three persons. One of such persons was arrested. The other two persons named are the petitioner Nos.2 and 3.

In such circumstances, we are unable to grant anticipatory bail to the petitioner nos.2 and 3, namely, Mrinal Roy and Sidhartha Roy @ Siddarthya Sankar Roy.

Accordingly, the prayer for anticipatory bail of the petitioner nos.2 and 3 are rejected.

However, we grant anticipatory bail to the petitioner nos.1 and 4, namely, Sourav Roy @ Sourav Kanti Roy and Rinku Roy.

Accordingly, we direct that in the event of arrest, the petitioner nos.1 and 4 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 also 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 no.1 will report before the Investigating Officer once a fortnight till the conclusion of the investigation and petitioner no.4 will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioner nos.1 and 4 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 nos.1 and 4 in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner nos.1 and 4 is allowed.

C.R.M. (A) 571 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)