

16.02.2023

Sl.81

Court No.29

(AD)

(Allowed)

C.R.M. (A) 714 of 2023

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.**1754 of 2022** dated **21.11.2022** under Sections **448/323/302/506/34** of the Indian Penal Code, 1860 (G.R. No.7243/2022).

And

In the matter of: **Ukil Ghosh @ Pabitra Ghosh**

....petitioner.

Ms. Minoti Gomes

... for the petitioner.

Mr. Swapan Banerjee

Ms. Purnima Ghosh

...for the State.

Petitioner prays for anticipatory bail.

The post-mortem report of the victim records an injury as one obliquely placed ligature mark non-contiguous in nature.

There is a statement recorded under Section 164 of the Code of Criminal Procedure which suggests that the victim and the petitioner were in a long-standing relationship.

The materials in the case diary does not suggest requirement of custodial interrogation of the petitioner.

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/- (Rupees Ten Thousand Only), 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 petitioner will report before the Investigating Officer once a month 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.

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

C.R.M. (A) 714 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)