

15 20.02.2023
(AD) Court No.29
(Allowed)

C.R.M. (A) 738 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sabang** P.S. Case No.**458 of 2022** dated **19/12/2022** under Sections **306/323/307/379/506/34** of the Indian Penal Code.

And

In the matter of: **Gopal Chandra Bera & Ors.**

....petitioners.

Mr. Soumyajit Das Mahapatra

...for the petitioners.

Mr. Madhusudan Sur, Ld. APP
Mr. Manoranjan Mahata

...for the State.

Petitioners pray for anticipatory bail.

The post-mortem report of the victim records one obliquely placed non-contiguous ligature mark on the neck of the victim.

The death was recorded to be due to the effects of hanging, ante-mortem in nature.

The materials in the case diary suggest that the victim committed suicide.

The police complaint was lodged after about two months of the incident.

There is a previous police complaint also.

In such circumstances, 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 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 nos.1,3 and 5 will report before the Investigating Officer once a month till the conclusion of the investigation and petitioner nos.2 and 4 will cooperate with the investigation 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 738 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)