

28.02.2023
Serial no. 20
[Dd]
(Anticipatory Bail)
(Allowed)

CRM (A) 760 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Katwa** Police Station Case No. **107** of **2023** dated **31.01.2023** under Sections **302/120B** of the Indian Penal Code.

-And-

In the matter of : **Satyajit Roy & Anr.**
... .. **Petitioners**

Mr. Atanu Biswas,
Mr. Bikram Basak, Advocate
... .. *For the Petitioners*

Mr. Saibal Bapuli, Id. APP
Mr. Soumik Ganguli, Advocates
... ..*For the State*

The postmortem report of the deceased suggests that the death was due to the effect of deceased condition of organs noted. We noticed that such postmortem also contains details of injuries found on the body of the deceased.

In such circumstances, we requested the State to submit a report as to whether the injuries noted in the postmortem of the deceased played any role on the death of the deceased or not. State submitted a report today which be taken on record.

The autopsy surgeon is of the view that the injuries noted are simple in nature and individually or collectively they were neither sufficient enough to cause death nor capable of contributing any role to the cause of death of the deceased in ordinary course of nature.

In such circumstances, considering the gravity of the offence, the complicity of the petitioners in the incident and the

nature of postmortem, we are inclined to 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 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 petitioners shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 760 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)