

21.04.2023

Serial no. 08

[Dd]

(Anticipatory Bail)

(Allowed)

CRM (A) 1681 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Suti** Police Station Case No. **112** of **2023** dated **10.03.2023** under Sections **302/34** of the Indian Penal Code.

-And-

In the matter of : **Akshay Mondal & Anr.**

... .. Petitioners

Ms. Shabana Hasin,

Mr. Aritra Kr. Thokdar, Advocates

... .. For the Petitioners

Mr. Rudradipta Nandy, Id. APP

Ms. Sonali Das,

Ms. Sreeparna Das, Advocates

... ..For the State

The police complaint was lodged 24 days after the incident pursuant to order passed under Section 156(3) of the Criminal Procedure Code.

The postmortem report of the victim suggests that the victim committed suicide.

Considering the statements of two neighbours recorded under Section 161 of the Criminal Procedure Code which suggest that the victim was insulted, 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 month 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) 1681 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)