

21.04.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1690 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nakashipara** Police Station Case No. **144** of **2023** dated **26.02.2023** under Sections 328/34 of the Indian Penal Code.

And

In Re : Khokan Ghosh @ Ranjit Ghosh & Ors.

..... petitioners

Mr. Sumanta Das

....for the petitioners

Mr. Sujan Chatterjee

....for the State

The victim, apparently, consumed poison.

The victim recorded a statement under Section 164 of the Code of Criminal Procedure (Cr.P.C.) naming five persons, who allegedly administered poison on him mixed with food, which he consumed.

Police are yet to seize any materials to suggest that, poison was administered on the victim by the petitioners.

The victim is yet to record a 164 Cr.P.C. statement.

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/- 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 petitioner nos. 1 (Khokan Ghosh @ Ranjit Ghosh), 2 (Uttam Ghosh), 3 (Anusadhn Ghosh) and 5 (Nidhuras Ghosh) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner no. 4 (Chaina Ghosh) shall cooperate with the Investigating Officer 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)