

03.05.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1870 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manikchak** Police Station Case No. **189** of **2023** dated **04.04.2023** under Sections 306/34 of the Indian Penal Code, 1860.

And

In Re : Balai Saha @ Balai Chand Saha

..... petitioners

Mr. Arup Kumar Bhowmick

Md. Santu Mia

....for the petitioners

Mr. Joydeep Roy

Ms. Sujata Das

....for the State

The petitioners are neighbours of the victim.

Apparently, the victim committed suicide.

The post mortem report states that, the death was due to hanging, ante mortem in nature. The injury noted was one oblique non-continuous ligature mark on the body.

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 (Balai Saha @ Balai Chand Saha) and 3 (Chaitanya Ghosh) shall meet the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner nos. 2 (Bapi Saha) and 4 (Sushila 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.)