

15.05.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1989 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Patuli** Police Station Case No. **79** of **2023** dated **23.03.2023** under Sections 306/34 of the Indian Penal Code, 1860.

And

In Re : Ibha Das & Ors.

..... petitioners

Mr. Kallol Mondal

Mr. Krishan Ray

Mr. Souvik Das

Mr. Ayan Mondal

....for the petitioners

Ms. Purnima Ghosh

....for the State

There is a previous police complaint against the deceased lodged at the behest of the petitioner no. 4.

Apparently, the deceased committed suicide.

The materials in the case diary obtaining today does not suggest requirement of custodial interrogation of the petitioners in the abatement of suicide by the deceased.

Consequently, 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 no. 2 (Mohan Lal Das) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner nos. 1 (Ibha Das), 3 (Debolina Das) and 4 (Amitava Maity) 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.

Reporting to the Investigating Officer by the petitioner no. 4 is dispensed with in view of the medical documents annexed to the application in respect of petitioner no. 4 suggesting that the petitioner no. 4 suffering from a medical condition.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)