

24.08.2023
SL. 10
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2480 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Marishda** Police Station Case No. **95 of 2023** dated **18.05.2023** under Sections **302/34** of the IPC.

And

In the matter of: **Arunava Mishra**

....petitioner.

Mr. Sekhar Kr. Basu, Sr. Adv.
Mr. Kusal Kr. Mukherjee
Ms. Suchismita Dutta
Ms. Pranidhi Singh

...for the petitioner.

Mr. Swapan Banerjee
Ms. Purnima Ghosh

...for the State.

Mr. Amitabha Ghosh
Mr. Haripada Nayak

...for the de facto complainant.

1. Heard learned Counsel for both the parties.
2. The report submitted by learned Counsel for the State be taken on record.
3. Perused the report submitted by the I.O. On the date of last hearing dated 26.07.2023, we entertained doubt about the nature of death as to whether the death is homicidal, suicidal or a case of road traffic accident.
4. We directed the petitioner to co-operate in the investigation being present before the I.O. The petitioner is reported to have co-operated in the investigation. From the report and further investigation in the meantime it is specifically found by the I.O. that the case of death of deceased is one of road traffic accident.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and substantial progress in investigation,

it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

6. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
7. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The application being **CRM (A) 2480 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

