

25.07.2023
(D/L 15)
Ct. No.29
Allowed
(SKB)

CRM (A) 2630 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ranaghat P.S. Case No.271 of 2023 dated 06.05.2023 under Sections 323/306 of the Indian Penal Code.

In the matter of : Jayanata Roy @ Lalu

... Petitioner

Ms. Sananda Bhattacharyya

... for the petitioner

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan

... for the State

1. Heard the learned Counsel for the parties.
2. As alleged, the present petitioner was in a relationship with the victim who is a married lady. The statement of the son of the victim recorded under Section 164 Cr.P.C. shows that when his mother was being taken to the hospital, she told him that the present petitioner is responsible for her death. There is statement of some other witnesses recorded under Section 161 Cr.P.C. from which we do not find any element under Section 107 IPC against the present petitioner.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, 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.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The application being CRM(A) 2630 of 2023 is disposed of.
7. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)