

25.07.2023
(D/L 22)
Ct. No.29
Allowed
(SKB)

CRM (A) 2640 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Berhampore P.S. Case No.451 of 2023 dated 12.04.2023 under Sections 498A/302/34 of the Indian Penal Code.

In the matter of : Bijoy Haldar @ Bijay Halder
... Petitioner

Mr. Tapodip Gupta
... for the petitioner

Mr. S. S. Imam,
Mr. S Kundu
... for the State

1. Heard the learned Counsel for the parties.
2. The petitioner is stated to be the maternal uncle of the deceased. The post-mortem report, according to our considered view, is indicative of suicidal hanging by the deceased. Our view is, however, tentative on the basis of the police papers. From the statements of the witnesses recorded under Section 161 Cr.P.C., we find that the allegation against the present petitioner is quite omnibus in nature.
3. 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 including the conditions that (i) the petitioner is directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose of investigation till submissions of Final Form and (ii) the petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

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) 2640 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.)