

07.08.2023
ML. 9
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2735 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Canning** Police Station Case No. **217 of 2021** dated **27.05.2021** under Section **306** of the IPC.

And

In the matter of: **Animesh Khamaru**

....petitioner.

Mr. Arun Kumar Mohanty
Mr. Manabendranath Bandyopadhyay
Mr. Shaheb Sadhukhan
Mr. R. R. Mohanty
Ms. Snigdha Ghosh
Mr. Shivam Saha

...for the petitioner.

Mr. Tanmoy Kr. Ghosh
Mr. Arindan Sen

...for the State.

1. Heard learned Counsel for both the parties.
2. Considered the materials placed by them and the statement of the father of the deceased as well as other witnesses. It is found that there was romantic relationship between the petitioner and the deceased and the petitioner declined to marry the deceased.
3. Whether element of Section 107 IPC is present in such fact is better to be left to the wisdom of the Trial Court.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation 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 condition that:
 - i) The petitioner is directed to appear before the I.O. once in a week on the day and time fixed by the

I.O. for the purpose of investigation till submission of F.F.

5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
6. 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.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2735 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

