

07.08.2023
ML. 37
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 2783 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sheraphully** G.R.P.S. Case No. **10** of **2023** dated **04.05.2023** under Sections **306/120B/34** IPC.

And

In the matter of: **Nandini Hela & Anr.**

....petitioners.

Mr. Raghunath Adhikary
Ms. Priyanka Saha

...for the petitioners.

Mr. Joydeep Roy
Mr. Amanul Islam

...for the State.

1. Heard learned Counsel for the parties.
2. Considered the material placed by them including the post mortem report.
3. The post mortem is clearly indicative of the fact that the death of the deceased was an accidental death while she was travelling in train. There is nothing on record to prove the complicity of the present petitioners so far as the death of the deceased is concerned. There is, however, allegation to the effect that the present petitioners had recorded some private videos of the deceased when she was in relationship with a boy of the minority community and it is further alleged that they conspired to make it viral. But there is nothing on record till date whether that photographs etc., were made viral. This act of the petitioners has no connection with the accidental death of the deceased.
4. Investigation is stated to have progressed substantially.
5. Regard being had to the facts and submission, factum of

permanent residence of the petitioners, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail in the event of their arrest by the Arresting Officer 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 fact that:

- i) the petitioners being the ladies are directed to appear before the I.O. for the purpose of investigation as and when required from sunrise to sunset.
- ii) the petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

6. The petitioners are directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 2783 of 2023** is disposed of.
9. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

