

22-08-2023
Item no.337A
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

CRM(A) No.3142 of 2023
Hamidul Biswas
-vs-
The State of West Bengal

In Re: An application for anticipatory bail under **Section 438 CrPC** in connection with Rejinagar P.S. Case No.18 of 2023 dated January 10, 2023 under sections 302/34 IPC

Mr. Kingsuk Mondal	...for the petitioner
Mr. Swapan Banerjee	
Ms. Purnima Ghosh	... for the State

1. Heard learned counsel for the parties.
2. Considered the materials placed by them including the statement of the witnesses according to section 161 CrPC and the PM report. The widow of the deceased namely Maniza Bewa is an eyewitness to the occurrence. She in her statement has stated that the accused persons including the petitioner assaulted her husband by fist and kick blows; he fell down on the ground and his head hit a piece of brick causing the head injury. In the post-mortem report the surgeon has recorded the history as told to him by the identifying witness which is to the effect that the deceased fell down in his house at about 10 a.m. and sustained injury on his head. Post-mortem report is further indicative of the fact, except the head injury, there was no other external injury on the dead body of the deceased. The investigation is complete.
3. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, and completion of investigation, it is directed that the petitioner shall surrender before CJM at Berhampore,

district Murshidabad in the aforesaid PS Case within 15 days from today.

4. On his surrender and application for bail, he shall be released on bail by the aforesaid court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
5. The application being CRM(A) No.3142 of 2023 is disposed of.

[Chitta Ranjan Dash, J]

[Partha Sarathi Sen, J]