

28.08.2023
ML. 528
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3349 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Kharagpur (Local)** Police Station Case No. **423 of 2023** dated **03.05.2023** under Sections **341/323/325/306/34** of the IPC.

And

In the matter of: **Sri Sanjay Jana & Ors.**

....petitioners.

Mr. Nonigopal Chakraborty

...for the petitioners.

Mr. Arijit Ganguly

Mr. Sanjib Kumar Dan

...for the State.

1. Heard learned Counsel for both the parties.
2. The father of the informant is alleged to have committed suicide. It is alleged that the present petitioners had abused the deceased saying that he had illicit relationship with the wife of Gurupada Hembram who is a co-villager and daily labourer.
3. We do not find any element under Section 107 IPC at least *prima facie*.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail by the Arresting Officer in the event of their 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 petitioners are directed to appear before the I.O. once in a fortnight 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 each of 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.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 3349 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

