

29.08.2023
SL. 56
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3433 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Taherpur** Police Station Case No. **100 of 2023** dated **06.03.2023** under Sections **306/34** of the IPC.

And

In the matter of: **Bikram Mali**

....petitioner.

Ms. Susmita Mondal

...for the petitioner.

Mr. Avishek Sinha

...for the State.

1. Heard learned Counsel for both the parties.
2. The informant is the wife of the person who committed suicide. The deceased and the present petitioner purchased the self-same land one after the another from the same seller. The deceased committed suicide because the seller failed to give the possession of the land to him and also failed to return the money he had given for the land. The present petitioner is stated to be the second buyer from the self-same seller. There is a suicide note on record and it is stated that the present petitioner is responsible for death of the deceased.
3. From the materials on record it is found that the seller had taken money from the deceased as well as from the present petitioner for the self-same land.
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 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 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) 3433 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

