

21.09.2023
ML. 257
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3865 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Malda** Police Station Case No. **162** of **2023** dated **27.03.2023** under Sections **302/34** IPC (corresponding to G.R. Case No. 1860 of 2023).

And

In the matter of: **Felo Mandal**

....petitioner.

Mr. Biswajit Tiwari

...for the petitioner.

Mr. Swapan Banerjee

Ms. Purnima Ghosh

...for the State.

1. Heard learned Counsel for the parties.
2. The present petitioner is stated to be the mother of principal accused, viz., Santosh Mondal who is alleged to have given the fatal blow.
3. So far as the present petitioner is concerned, she is a lady of 70 years old and there is no allegation of specific overt act against her.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, old age of the petitioner, nature of evidence and substantial progress in investigation, it is directed that the petitioner shall be released on bail in the event of her 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.
5. Within 21 days from today, petitioner is directed to appear before the I.O. along with a server copy or certified copy of

this order.

6. Accordingly, the prayer for anticipatory bail is allowed.
7. The application being **CRM (A) 3865 of 2023** is disposed of.
8. 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.)

