

22.11.2023
SL. 18
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 4277 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Mohanpur** Police Station Case No. **355 of 2022** dated **15.12.2022** under Sections **302/34/448** of the IPC corresponding to G.R. Case No. **1195 of 2022**.

And

In the matter of: **Jadabkumar Pal @ Jadab Pal & Anr.**

....petitioners.

Mr. Purnasis Bhuniya

...for the petitioners.

Mr. Saibal Bapuli

Mr. Soumik Ganguli

...for the State.

1. Heard learned Advocate for both the parties.
2. At the very outset learned Advocate for the petitioners draws attention of this Court to the order dated 12.09.2023 as passed in CRM (A) 3630 of 2023 by this Court whereby and whereunder one co-accused has been enlarged on anticipatory bail. It is submitted that the present petitioners are similarly placed with the accused already enlarged on anticipatory bail.
3. Mr. Bapuli, learned Advocate for the Additional Public Prosecutor in his usual fairness admits the position as submitted by the learned Advocate for the petitioners.
4. From the order dated 12.09.2023 as passed in the aforementioned case, we noticed that there is no definite opinion of the Medical Officer to the effect that the death of the deceased was homicidal in nature.
5. Regard being had to such facts and submissions, 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 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 condition 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.

6. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
7. 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.
8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The application being **CRM (A) 4277 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

