

30.11.2023

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Allowed

C.R.M. (A) No. 5105 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No. 1738 of 2022 dated 19.11.2022 under Sections 498A/302/34 of the Indian Penal Code.

In Re : Manoj Saha And
 petitioner

Mr. Kusal Kumar Mukherjee
Ms. Pranidhi Singh
Mr. Sayan Das
 for the petitioner

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
 for the State

1. Learned Counsel for the petitioner submits victim lady suffered accidental death. There is delay in lodging FIR. He prays for bail.

2. Learned Counsel for the State produces the case diary.

3. We have considered the materials on record including the statement of the eye-witness who stated victim died due to road traffic accident. Under such circumstances, we are inclined to grant bail to the petitioner.

3. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that he shall appear

before the court below and pray for regular bail within a period of four weeks from date.

4. This application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)