

08.06.2023
SL No.30
Court No.1
Sb/Saswata
(Allowed)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (A) 280 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Bagdogra Police Station Case No.113 of 2023, dated 09.03.2023 under Section 306 of Indian Penal Code, 1860.

And

In the matter of : **Prafulla Majumdar @ Prafullya Majumdar**

- Petitioner.

Mr. Arjun Chowdhury

Ms. Pratusha Dutta Chowdhury

Ms. Riya Agarwal

... For the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP

Mr. Ujjwal Luksom

Mr. Kallol Nag

... For the State.

1. Heard the learned Advocates appearing for both the parties.
2. The petitioner is the father-in-law of the deceased. It is submitted that the petitioner has been falsely implicated.
3. Learned Counsel for the State opposes the prayer for anticipatory bail. It is submitted that the deceased was tortured by the wife and the family members and that resulted her death.
4. Having considered the materials available in the case diary, postmortem report and having considered the involvement of the petitioner in the commission of alleged offence, we are of the view that custodial interrogation of the petitioner may not be necessary and accordingly we **allow** the prayer for anticipatory bail of the petitioner on the following conditions:

- i. In the event of arrest, the petitioner, viz, **Prafulla Majumdar @ Prafulla Majumdar** be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.
- ii. The petitioner shall meet the Investigating Officer once in a week till filing of the charge sheet.
- iii. The petitioner shall cooperate with the investigation.
- iv. The petitioner shall appear before the court below and pray for regular bail within four weeks from date and shall not leave the jurisdiction of the jurisdictional Court without express leave of the Court.

5. The application for anticipatory bail is, thus, disposed of.

6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)