

13.06.2023
Court No.01
Item No. 7
Allowed

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

sg

CRM (A) 337 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with New Jalpaiguri Police Station Case No. 47 of 2023 dated 19.01.2023 under Sections 498A/307 IPC adding Section 302 IPC.

And

In Re: **Nani Gopal Raha**

Petitioner

Mr. Joydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Ms. Rikta Sarkar

For the Petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Sourav Ganguly

For the State

The learned Counsel for the petitioner submits that the petitioner is innocent and is no way connected with the offence.

The learned Counsel for the State, in opposing the prayer for anticipatory bail, submits that the charge-sheet has already been filed and there are no materials showing involvement of the petitioner in the commission of the alleged offence.

Considering the materials available in the case diary and the post-mortem report showing cause of the death is *ante mortem* in nature and the fact that the charge-sheet has already been filed, we are of the view that the custodial interrogation of the petitioner is not required and he may be granted anticipatory bail.

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, one of whom must be local, subject to the satisfaction of the Arresting Officer and also comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall co-operate with the investigation. The petitioner shall meet the Investigating Officer each and every day.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 337 of 2023 is, thus, disposed of.

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)