

30.11.2023

Serial no.11

Court No.1

(CHC)

(Allowed)

*Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side*

CRM (A) 929 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Tufanganj** Police Station Case No. **752 of 2023** dated **25.08.2023** under Section **306** of the Indian Penal Code, 1860.*

-And-

In the matter of : **Uttam Barman & anr.**

... .. Petitioners

Mr. Hillol Saha Podder, Advocate

Ms. Mousumi Das, Advocate

... .. For the Petitioners

Mr. Nilay Chakraborty, Advocate

Mr. Dhiman Sil, Advocate

... ..For the State

Petitioners pray for anticipatory bail.

Post Mortem Report of the victim suggest that, the victim died as a result of hanging. A ligature mark was found on the neck of the victim.

Dead body of the victim was discovered at Noida. Police complaint was lodged at Tufanganj Police Station.

Allegations as against the petitioners are that the petitioners arranged for the victim to be appointed as a labourer. It is also alleged that the victim was taken by the petitioners to Delhi. However, it is not alleged that, the petitioners were present at Noida at the time of death.

Considering the materials in the Case Diary and in view of the facts noted above, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 further condition that the petitioners shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is **allowed.**

CRM (A) 929 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

