

05.07.2024

Court No.29

Item No. 41

Allowed

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CRM (A) 2163 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Barabazar Police Station Case No. 196 of 2023 dated 15.12.2023 corresponding to G.R. Case no. 2205 of 2023 under Sections 306/34 of the Indian Penal Code.

And

In Re: Krishnapada Gorain

Petitioner

Mr. Pritam Roy
Mr. Rana Bishal Singh
Mr. S. Bhattacharjee
Ms. Triparna Roy

For the Petitioner

Mr. Avishek Sinha
Mr. Aslam Parvez

For the State

1. Learned counsel for the petitioner submits that the petitioner is innocent and is no way connected with the alleged offence.
2. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the suicide note and the few statements of the relatives of the deceased to demonstrate that the petitioner was involved in the commission of the alleged offence.
3. The allegation is essentially abatement of suicide.
4. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of the alleged offence and having regard to the fact that the charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioner is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioner namely, **Krishnapada Gorain** 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 to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall appear before the learned Chief Judicial Magistrate, Purulia corresponding to G.R. Case no. 2205 of 2023 within two weeks from date and the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioner shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar , J)