

18.07.2024
Sl No. 28
Court No. 29
TN
(Allowed)

CRM (A) 2394 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Manikchak Police Station Case No. 775 of 2023 dated 23.09.2023 under Sections 302/120B of the Indian Penal Code.

And

In the matter of : **Arun Rabidas.**

- petitioner

Mr. Mrityunjoy Chatterjee,
Mr. Debapriya Majumder,
Mr. Akash Sarkar,
Mr. Arindam Poali

....for the petitioner

Ms. Sonali Das,
Mr. Abhinabha Mukherjee

... for the State

1. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated.
2. The learned counsel for the State has produced the case diary. It is submitted that it would be evident from the statement of the witnesses that the petitioner and the victim were last seen together.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and furthermore, it transpires from the statement of the witnesses that both of them were found to be drunk in the morning and the post mortem report suggests that the death is due to drowning, we are inclined to grant anticipatory bail to the petitioner.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Arun Rabidas** shall be released on bail

upon furnishing a bond of Rs.5,000/-, with two registered 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.

5. The petitioner shall meet the Investigating Officer once in a week and shall not leave the Manikchak police station without the permission of the Investigating Officer till submission of the final report.
6. It is further directed that the present accused petitioner shall appear before the learned Chief Judicial Magistrate, Malda within two weeks from date and pray for regular bail.
7. Accordingly, the application for anticipatory bail is disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)