

06.08.2024
SL No.21
Court No.29
(gc)
(Allowed)

CRM (A) 2641 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the BNSS, 2023 filed in connection with Malda Police Station Case No.422 of 2024 dated 23.06.2024 under Sections 195A/448/385/506/363/365/34 of the Indian Penal Code.

And

In the matter of : **Bhupen Saha & Ors.**

- Petitioners.

Mr. Kushal Kumar Mukherjee,

Ms. Suchismita Dutta

....For the Petitioners.

Ms. Z.N. Khan,

Ms. Pritha Paul

... For the State.

1. Considering the materials available in the case diary and the fact that the dispute is essentially with regard to the custody of the daughter of the deceased and the complainant is the maternal grandfather and that the child is presently staying with the husband of the deceased and having regard to the nature and extent of complicity of the petitioners in the commission of the alleged offence, we are of the view that the custodial interrogation of the petitioners is not necessary.
2. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Bhupen Saha, Manoj Saha** and **Mohon Saha**, shall be released on bail upon furnishing a bond of Rs.5,000/- each, 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 corresponding to Section 482(2) of the

BNSS, 2023 with further direction that the petitioners shall meet the Investigating Officer once in a fortnight till the submission of the final report.

3. It is further directed that the petitioner shall appear before the learned Chief Judicial Magistrate, Malda in connection with G.R. Case No.4302 of 2024 within two weeks from date.
4. Accordingly, the application for anticipatory bail is disposed of.
5. 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.)