

13.09.2024
Court No.29
Item No.13

Allowed
sg

CRM (A) 3277 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Udaynarayanpur Police Station Case No. 63 of 2024 dated 19.05.2024 punishable under Section 302/34 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Howrah.

And

In Re: **Panchan Bag @ Panchan @ Panchananda Bag & Anr.**
Petitioner

Mr. Mrityunjoy Chatterjee
Mr. Debopriya Majumder
Mr. Arindam Poali

For the Petitioner

Ms. Anasuya Sinha
Ms. Rituparna Saha

For the State

1. The petitioner nos. 1 and 2 are the parents of the principal accused. The principal accused is in custody along with the daughter-in-law of the deceased, as a result whereof, an altercation took place in which the deceased was injured and succumbed to death.
2. Considering the materials available in the case diary and having regard to the fact that the principal accused and the daughter-in-law of the deceased are in custody and also having regard to the role ascribed to the present petitioners in the commission of alleged offence and also in view of the fact charge sheet has already been filed, we are of the view that custodial interrogation of the present petitioners is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Panchan Bag @ Panchan @ Panchananda Bag and Aparna Bag @ Archana Bag**, 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 Bharatiya Nagarik Suraksha Sanhita. The petitioners shall appear before the trial court within two weeks from date and thereafter shall appear on each and every date of hearing until further orders.

4. In the event the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
6. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Prasenjit Biswas, J.)