

29.02.2024.
30.
Ct.No.28
as

C.R.M. (DB) 4150 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure.

In the matter of : **Amit Kundu & Ors.**

... Petitioners.

Mr. Niladri Sekhar Ghosh,
Ms. Sompurna Chatterjee,
Mr. Sourov Mondal,
Ms. Labani Sikder.

...for the Petitioners.

Mr. Debasish Roy, Id. P.P.,
Mr. Partha Pratim Das,
Mr. Aniket Mitra.

....for the State.

1. Report is placed on record.
2. Report shows possibility of death due to ingestion of expired drugs is improbable. Clinical features are consistent with poisoning which had resulted in death.
3. Be that as it may, there is no direct evidence whether the petitioners had administered poison or victim ingested it herself. She had not made any dying declaration. Petitioners are on interim bail and they have not misused their liberty.
4. Under such circumstances, we are inclined to confirm the interim bail granted to the petitioners subject to the conditions in our earlier order dated 20.12.2023.

(Gaurang Kanth,J.)

(Joymalya Bagchi, J.)

