

19.11.2024
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Allowed

C.R.M. (A) No. 3970 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Khejuri Police Station Case No. 355 of 2024 dated 11.08.2024 under Sections 304/34 of the Indian Penal Code.

And

In Re : Pabitra Samanta & Anr. petitioners

Mr. Ramashis Mukherjee
Sk. Afrajul Haque

.....for the petitioners

Md. Adil Badr
Mr. Saibal Krishna Dasgupta

....for the State

1. Learned Counsel for the petitioners submits victim is an electrician. At the time of fixing electric wiring he accidentally got electrocuted and died. They pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits petitioners had not switched off electric connection while victim was working.

3. We have considered the materials on record. It is to be determined whether allegations even if believed would attract the graver offence of culpable homicide not amounting to murder. Petitioners had no intention to commit the murder. Custodial interrogation of the petitioners for progress of

investigation is not necessary and they may be granted anticipatory bail.

4. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that they shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

5. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)