

24.12.2024

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Allowed

C.R.M. (A) No. 4637 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Taherpur Police Station Case No. 513 of 2024 dated 20.10.2024 under Sections 103/118(2)/3(5) of the BNS.

And

In Re : Ramen Biswas petitioner

Mr. Avilash Tripathi

.....for the petitioner

Ms. Amita Gaur

Mr. Aritra Bhattacharya

....for the State

1. Learned Counsel for the petitioner submits victim died in a road traffic accident. He has been falsely implicated. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits petitioner had an altercation with deceased and her husband. He called one Bipul Mostafi who came to the spot in a truck. He drove the truck over the deceased resulting in her death.

3. We have considered the materials on record. Statements of witnesses show Bipul Mostafi had intentionally driven his truck over the victim. As per the prosecution initially an altercation took place between the petitioner and husband of the deceased. Petitioner had called Bipul Mostafi to this spot. Nothing is placed on record to show petitioner shared common intention with Bipul Mostafi to commit the murder by driving his truck over the deceased. It appears the act is an impulsive

and not a pre-meditated one. Keeping in mind extent of complicity of the petitioner in the crime we are inclined to grant anticipatory bail to the petitioner.

4. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 he 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.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)