

27.02.2025

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Allowed

C.R.M. (A) No. 691 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Mandarmoni Coastal Police Station Case No. 103 of 2024 dated 21.12.2024 under Sections 103/61(2) of the BNS.

And

In Re : Krishna Pandit & Anr. petitioners

Mr. Surajit Basu
Mr. Debojyoti Poddar
Ms. Jasika Alam

.....for the petitioners

Mr. Madhusudan Sur, learned APP
Ms. Rajashree Tah

....for the State

1. Learned Counsel for the petitioners submits deceased had committed suicide in a hotel room. They were not present in the room. They have been falsely implicated. They pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record. Petitioner no. 1 and his friend Ataur Mondal along with one Tanushree Mukherjee and petitioner no. 2 Soma Banerjee went to a hotel. In the hotel room victim suffered unnatural death. Post mortem report shows death is due to *ante mortem* hanging which is ordinarily suicidal. Tanushree Mukherjee was sharing the room with petitioner no. 1. She was arrested and has been

released on bail. Petitioner no. 2 and Ataur Mondal were in another room and it cannot be said that they were privy to the circumstances leading to the unnatural death of the deceased. Petitioner no. 1 was not present at the spot and has been implicated out of mere suspicion. Under such circumstances we are inclined to grant anticipatory bail to the petitioners.

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 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.)