

17.09.2025
Sl. No.49
Ct. 28
NB

C.R.M. (A) 2988 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gazole PS Case No.619/2025 dated 22.06.2025 under Sections 107/3(5) of the Bharatiya Nyaya Sanhita.

And

In the matter of: Naresh Mandal @ Naresh Chandra Mandal
... petitioner

Mr. Pinaki Dhole,
Mr. Rabindra Kr. Pathak,
Ms. Srijita Nol.
...for the petitioner.

Ms. Shreyashee Biswas,
Mr. Raju Mondal.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the father of the minor victim deceased. He has been falsely implicated in this case. He stands on the same footing as his second wife who was granted anticipatory bail by the Sessions Court.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the statements of witnesses including those of neighbours.

Although there is allegation of physical torture by the petitioner and his second wife, the postmortem report does not show any visible external injury.

It will for the Courts to finally decide whether there was any element of abetment of suicide in this case.

However, considering the above and other materials available in the case dairy, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, 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, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall cooperate with the investigation and shall meet the Investigating Officer once a week till submission of report in final form and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

The application for anticipatory bail being **C.R.M. (A) 2988 of 2025** is, thus, allowed.

The personal appearance of the Investigating Officer is noted and is dispensed with.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)