

**BEFORE
HON'BLE THE CHIEF JUSTICE MR. T. VAIPHEI**

Present:

For the petitioners : Mr. P.K. Biswas, Sr. Advocate,
Mr. P. Majumder, Advocate.

For the respondent : Mr. S. Sarkar, P.P.

31.07.2017.

Heard Mr. P.K. Biswas, the learned Sr. Counsel assisted by Mr. P. Majumder, the learned counsel for the petitioners. Also heard Mr. S. Sarkar, the learned Public Prosecutor appearing for the State.

This is an application under Section 438 Cr.P.C. for granting pre-arrest bail to the petitioners namely, (1) Billal Miah, (2) Harij Miah, (3) Habul Miah alias Habu, who have been implicated in connection with Melaghar Police Station case No.30/2017 under Sections 302/34 IPC.

With the assistance of the learned Public Prosecutor, I have gone through the case diary, the FIR as well as the statements of the witnesses recorded under Section 161 Cr.P.C.

On careful consideration of the materials on record, I am of the view that this is not a fit case for custodial interrogation.

Resultantly, in the event of arrest, the petitioners shall be released on bail on executing a P.R. bond of ₹20,000/- (rupees twenty thousand) by each of them with one surety each of the like amount to the satisfaction of the arresting authority subject to the condition that they shall make themselves available for interrogation as and when called upon to do so.

The bail application stands disposed of.

CHIEF JUSTICE

Pulak