

(via video conference)

22 06.10.2020

Dd

CRM 6223 of 2020

In Re – An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bharatpur Police Station case no. 148 of 2015 dated 12.04.2015 under Sections 302/34 of the Indian Penal Code, 1860.

In the matter of : **Fajar Hajari & Anr.**Petitioners

Mr. Mirza Firoj Ahmed Begg
Mr. Arindam Roy
....for the Petitioners

Mr. Madhu Sudan Sur, Id. APP
Mr. Manoranjan Mahata
... ...For the State

Pursuant to the order passed on 18th September, 2020 by a coordinate Bench the records relating to CRM 2519 of 2020 is produced. It appears from the record that the present petitioners are similarly placed as that of Tahamina Khatun & Ors. (being CRM 2519 of 2020). The factual aspect of the matter has not been disputed by the learned advocate appearing on behalf of the State.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission that the victim suffered death due to natural causes and as there is no material to come to a contrary opinion, we are inclined to grant anticipatory bail to the petitioners.

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 438 (2) of the Code of

Criminal Procedure, 1973 and on further condition that the petitioners while on bail shall meet the Investigating Officer once in a week until further orders.

Petitioners shall appear before the Investigating Officer and hand over passports, if any, within two weeks from date. In the event they do not have passports, they shall personally appear before the investigating officer and furnish affidavits to that effect within the time frame mentioned hereinabove.

The application being CRM 6223 of 2020 is disposed of.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)