

13.04.2021

Item No.264

Ct.No.28

dc.

C.R.M. 831 of 2021

(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In Re : **Akub Bar Ali @ Akbar Ali & Anr.**

... Petitioners.

Mr. Rajdeep Bhattacharya

... For the Petitioners.

Mr. Bidyut Kumar Roy,

Ms. Rita Datta

... For the State.

Apprehending arrest in connection with Duttapukur P.S. Case No. 648 of 2020 dated 06.09.2020 under Sections 498A/306 of the Indian Penal Code, the present application has been preferred.

The petitioners are the father-in-law and the mother-in-law of the deceased. Mr. Roy, learned advocate appearing for the State produces the case diary.

We have gone through the dying declaration of the victim so available. On perusal of the same, we are of the opinion that custodial detention of the present petitioners is not necessary as *prima facie* the petitioners are not related to the cause of death of the victim.

Accordingly, we **allow** the application for anticipatory bail and direct that in the event of arrest, the petitioners,

namely, **Akub Bar Ali @ Akbar Ali** and **Ramicha Bibi @ Firoja Bibi** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The petitioners would appear before the learned Magistrate/Trial Court and pray for regular bail by the next date so fixed in the said court.

With the aforesaid observations, the application for anticipatory bail, being CRM 831 of 2021 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)