

**C.R.M. 1877 of 2021  
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on in connection with Baishnabnagar Police Station Case No. 09 of 2016 dated 07.01.2016 under Sections 306/34 of the Indian Penal Code.

In the matter of : Kubera Bewa & Anr.

...Petitioners

Mr. Kallol Mondal  
Mr. Musharraf Alam Sk.

...for the Petitioners.

Mr. Arijit Ganguly  
Mr. Sanjib Kr. Dan

.....for the State.

The petitioners seek anticipatory bail.

Learned advocate for the petitioners submit that, the petitioners are of advanced age where the petitioner no. 1 is of 86 years old. He submits that, the petitioners were falsely implicated in the instant case.

Learned advocate for the State refers to the case diary and submits that the statement under Section 161 of the Code of Criminal Procedure discloses that the wife of the victim is the principal accused.

Considering the submissions of the parties and the facts that the petitioners are not named as the principal accused, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) 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.

CRM 1877 of 2021 is disposed of.

**(Debangsu Basak, J.)**

**(Aniruddha Roy, J.)**

