

13.12..2021
tkm/ct 28
sl no. 74

C.R.M. 4634 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Chakulia P.S Case no. 340 of 2020 dated 12.11.2020 under sections 498A/302/34 of the IPC

And

Allowed

In Re : Md. Nujrul Haque @ Nojrul Haque & Ors. petitioners

Mr. S Alam

..... for the petitioners

Mr. S G Mukherjee, ld PP

Ms. Faria Hossain

Mr. Aniket Mitra

..... for the State

It is submitted that petitioner no.1 has been arrested. Hence, prayer for anticipatory bail of petitioner no.1 is dismissed as infructuous.

It is further submitted on behalf of the petitioners that they have been falsely implicated in the instant case. Victim died due to natural causes.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered materials on record including the post mortem report which show that the victim died due to diseased condition of lung and heart due to Covid infection.

In view of the aforesaid facts, we are inclined to grant anticipatory bail to the petitioner nos. 2 and 3.

Accordingly, we direct that in the event of arrest, the petitioner nos. 2 and 3 shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount, 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.

Petitioner nos. 2 and 3 shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 4634 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)