

23.11.2021

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C.R.M. 7526 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chakulia** Police Station Case No. **265** of **2021** dated **07.09.2021** under Sections 302/201/34 of the Indian Penal Code, 1860.

And

In Re : Md. Aiyub Alam @ Aiub Alam & Ors.

..... petitioners

Mujibar Ali Naskar

Md. Habibur Rahaman

....for the petitioners

Neguive Ahmed

Ms. Trina Mitra

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, the deceased was married to the petitioner No. 3. The deceased was having suicidal tendencies. Such tendencies were one of the reasons why the petitioner No. 3 was refusing to continue with the marriage. The husband of the petitioner No. 3 died one kilometre away from the matrimonial home. The motor cycle belonging to the deceased was recovered from the spot.

Learned advocate appearing for the State draws the attention of the Court to the post mortem report. She also

draws the attention of the Court to the statement recorded under Section 161 of the Code of Criminal Procedure and the case diary.

Considering the post mortem report and the involvement of the petitioners in the present case, we 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 conditions that the petitioners No. 1 shall meet the investigating officer once in a fortnight until further orders and the petitioner Nos. 2 and 3 will cooperate with the investigation and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

