

(Through Video Conference)

CRM (A) 313 of 2022

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 19.01.2022 in connection with Raiganj Police Station Case No. 246 of 2021 dated 13.04.2021 under Sections 447/304/34 of the Indian Penal Code.

-And-

In the matter of : **Majibul Rahaman @ Mokbul Hussain & Anr.**
... ...Petitioners

Mr. Koushik Choudhury, Advocate
Ms. Bushra Khatoon, Advocate

... ... For the Petitioners

Mr. Arijit Ganguly, Advocate
Mr. Avik Ghatak, Advocate

... ... For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the contents in the case diary and the postmortem report.

In the First Information Report it is claimed that the victim was assaulted on the head by a bamboo pole. The postmortem report is of the view that the death occurred due to natural causes.

Considering the fact that the police filed charge-sheet and considering such factual aspect as prima facie appearing, 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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, 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 and with a further condition that the petitioners shall appear before the

Court below and pray for regular bail within four weeks from date and on further condition that the petitioners shall appear before the Court below on every date fixed for hearing.

The prayer for anticipatory bail is allowed.

CRM (A) 313 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)