

11.03.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1185 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kotwali** Police Station Case No. **68** of **2022** dated **20.01.2022** under Sections 306/34 of the Indian Penal Code.

And

In Re : Mantu Biswas & Ors.

..... petitioners

Mr. Khalid Hasan

....for the petitioner

Md. Anwar Hossain

Mr. Arif Ekbal Molla

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioner submits that, the husband committed suicide. The petitioners were falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the Post Mortem report.

The post mortem report depicts that, 'the death was due to asphyxia following ante-mortem hanging by neck, which is suicidal in nature'.

Considering the contents of the post mortem report and considering the gravity of the offence and the involvement of the petitioners therein, 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 condition that the petitioner nos. 2 (Swapan Debnath) and 5 (Nikhil Debnath) shall meet the Investigating Officer once in a month till the conclusion of the investigation and petitioner nos. 1 (Mantu Biswas), 3 (Pravati Debnath) and 4 (Mampi Debnath) shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioners shall appear before the jurisdictional court on every date fixed 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.)