

26.05.20 22

Sl. No. 64

Srimanta

Ct.No. 05

CRM (A) No. 2412 of 2022

In Re : An application for anticipatory bail under Section **438** of the Code of Criminal Procedure, 1973 in connection with the **Titagarh** Police Station Case No. **148/2022** dated **24.02.2022** under Sections **302/34** of the Indian Penal Code, 1860.

In the matter of : **Mina Begum**

...petitioner.

Mr. Debasis Kar, Adv.,
Mr. Husen Mustafi, Adv.,
Mr. Arka Bhadra, Adv.

...for the petitioner.

Mr. Subrato Roy, Adv.,

...for the State.

We find, upon hearing learned counsel for the parties and going through the materials on record, that it is evident from the memo of evidence that, in the opinion of the Investigating Officer, during investigation no evidence could be made out against the FIR -named accused, Mina.

From the gist of the investigation, it further appears that the death of the victim was due to the effect of pathological condition of heart and other organs ante-mortem in nature.

Hence, we do not find any reason to refuse the relief of anticipatory bail to the petitioner.

Accordingly, CRM (A) No. 2412 of 2022 is **allowed**, thereby granting anticipatory bail to the petitioner subject to

the petitioner complying with the conditions stipulated in Section 438(2) of the Code of Criminal Procedure.

In the event of arrest, the petitioner shall be enlarged on bail upon furnishing security of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer.

Moreover, the petitioner shall meet the Investigating Officer as and when call upon to do so.

The memo of evidence filed by learned counsel appearing for the State, in his usual fairness, be kept on record.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)