

29.06.2022

22

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2873 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Margram** Police Station Case No. **108** of **2022** dated **01.06.2022** under Sections 342/323/306/34 of the Indian Penal Code, 1860.

And

In Re : Siddhartha Mal & Ors.

..... petitioners

Mr. Sabir Ahmed

Mr. Shraman Sarkar

....for the petitioners

Md. Anwar Hossain

Ms. Ratna Ghosh

....for the State

This application is taken up for consideration subsequent to the order dated June 20, 2022. The post mortem report of the victim is now available in the case diary.

Learned advocate appearing for the petitioners submits that, the girl and her friend consumed poison. The girl survived. Her friend died. The petitioners are now being falsely implicated by the father of the deceased.

The post mortem report of the victim does not depict any external or internal injury.

Considering the materials in the case diary and the post mortem report of the victim, 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 petitioners shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and on condition that the petitioners shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)