

05.08.2022
Serial no.37
Aloke

CRM (A) 3773 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Nabadwip Police Station Case No. 180 of 2022 dated 06.05.2022 under Sections 498A/306/34 of the Indian Penal Code and adding Section 302 of the Indian Penal Code.

-And-

In the matter of : **Saidul Sekh & Ors..**

... .. Petitioners

Ms. Karabi Roy, Advocate

... .. For the Petitioners

Mr. Aniket Mitra, Advocate

... ...For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the husband and the father-in-law are in custody. The police filed charge-sheet and, therefore, custodial interrogation of the petitioners are not required.

Learned Advocate appearing for the State draws the attention to the statement of the neighbour recorded under Section 164 of the Code of Criminal Procedure as also the statement of the sister of the victim recorded under Section 164 of the Code of Criminal Procedure. He refers to the postmortem report of the victim.

Considering the postmortem report of the victim and considering the statement of the neighbour recorded under Section 164 of the Code of Criminal Procedure and considering the fact that the husband and the father-in-law are in custody and considering the fact that the police filed charge-sheet, 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 also be subject to the conditions as laid down under

Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners shall appear on every date 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.

Prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 3773 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)