

30.08.2022
Serial no. 10
[Dd]
(Anticipatory Bail)
(**Allowed**)

CRM (A) 4100 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Shyampur** Police Station Case No. **296** of **2022** dated **04.07.2022** under Sections **498A/306/34** of the Indian Penal Code and under Section **4** of Dowry Prohibition Act.

-And-

In the matter of : **Basar Kha @ Ab ul Basar Kha & Ors.**

... .. Petitioners

Mr. Ayan Basu,
Mr. Sk. Aalim
Mr. Sumit Routh, Advocates
... .. *For the Petitioners*

Mr. Saibal Bapuli, Id. APP
Mr. Sujan Chatterjee, Advocates
... ..*For the State*

The postmortem report suggests that the death was due to consumption of poisoning, ante-mortem in nature. The husband of the victim was arrested and is in custody.

The police are yet to conclude the investigations.

The petitioners are the in-laws of the victim.

Considering the materials in the case diary and considering the fact that the husband is in custody and considering the postmortem report of the victim, 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

further condition that the petitioner nos. 1 and 2 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner no. 3, 4 and 5 shall cooperate with the investigation till its completion and on further 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) 4100 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)