

30 31.08.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 4170 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Berhampore** Police Station Case No. **1040 of 2021** dated **17/09/2021** under Sections **302/34** of the Indian Penal Code subsequently chargesheeted under Sections **306/34** of the Indian Penal Code.

And

In the matter of: **Sanaulla Seikh @ Sanaulla Sk**

....petitioner.

Mr. Mritunjoy Chatterjee
Md. G.N. Imrohi
Mr. Debapriya Majumder
Md. S. Biswqas

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP
Mr. Soumik Ganguli

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that four other accuseds were granted anticipatory bail.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary.

The post-mortem report of the victim suggests that the victim committed suicide.

Other co-accuseds were enlarged on anticipatory bail by diverse orders of this Court. The police filed charge sheet, *inter alia*, under Sections 306/34 of the Indian Penal code, 1860 after conducting the investigation, *inter alia*, under Sections 302/34 of the Indian Penal Code, 1860.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4170 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)