

CRM (A) 4492 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Raghunathganj Police Station Case No. 337 of 2022 dated 12.05.2022 under Section 498A/304B/302/34 of the Indian Penal Code.

-And-

In the matter of : **Rahim Sk. @ Abdur Rahim & Ors.**

... ... Petitioners

Ms. Shabana Hasin, Advocate

... ... For the Petitioners

Mr. Saswata Gopal Mukherjee, Id. PP

Mr. Aniket Mitra, Advocate

... ...For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the husband was granted bail by the jurisdictional Court. 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 materials in the case diary including the postmortem report of the victim.

The postmortem report of the victim does not contain any definite opinion of the postmortem doctor as to the cause of death. The husband of the victim was enlarged on bail by the jurisdictional Court. The police filed charge-sheet.

In such circumstances, 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) 4492 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)