

31.10.2022
Serial no. 82
[Dd]
(Anticipatory Bail)
(**Allowed**)

CRM (A) 4823 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Hariharpara** Police Station Case No. **386** of **2022** dated **26.08.2022** under Sections **302/120/34** of the Indian Penal Code.

-And-

In the matter of : **Selim Sk @ Silu Sk & Anr.**
... .. **Petitioners**

Mr. Ali Ahsan Alamgir,
Ms. Rabia Khatun, Advocates
... .. *For the Petitioners*

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee, Advocates
... .. *For the State*

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the victim committed suicide.

Learned advocate appearing for the State draws the attention of the Court to the postmortem report of the victim and to the statements recorded under Section 161 of the Criminal Procedure Code.

The police report of the victim suggests that the victim died due to poisoning. The statements recorded under Section 161 of the Criminal Procedure Code suggest that the victim consumed the poison.

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 further condition that the petitioner no. 1 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner no. 2 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) 4823 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)