

09.11.2022
Serial no. 20
[Dd]
(Anticipatory Bail)
(Allowed)

CRM (A) 4940 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Harihar** Police Station Case No. **378** of **2022** dated **21.08.2022** under Sections **302/34** of the Indian Penal Code.

-And-

In the matter of : **Safiya Bibi @ Chhapiya Bibi & Ors.**

... .. **Petitioners**

Mr. Kallol Mondal,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Mr. Souvik Das, Advocates
... .. *For the Petitioners*

Mr. Joydeep Roy, Jr. govt. Adv.
Ms. Sujata Das, Advocates
... ..*For the State*

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the victim committed suicide. The allegation of murder was alleged to falsely implicate the petitioners in view of the deceased making a deed of gift in respect of an immovable property in favour of the petitioner no. 1.

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

Postmortem report of the victim suggests that the victim committed suicide.

The statement of Hyder Sk. recorded under Section 161 of the Criminal Procedure Code also suggests that the victim committed suicide. Such statement also alludes a gift being

made by the deceased in respect of the immovable property in favour of the petitioner no. 1.

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 nos. 2 and 3 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner no. 1 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) 4940 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)