

CRM (A) 5024 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Malda Town G.R.P. Case No. 22 of 2022 dated 21.07.2022 under Sections 302/34 of the Indian Penal Code and charger-sheet submitted under Sections 498A/304B/34 of the Indian Penal Code.

-And-

In the matter of : **Aktara Bibi & Ors.**

... .. Petitioners

Mr. M. Chatterjee, Advocate

... .. For the Petitioners

Mr. Arijit Ganguly, Advocate

Mr. Sanjib Kr.Dan, Advocate

... ..For the State

Leave granted to the learned Advocate for the petitioners to correct the cause title.

Petitioner seeks anticipatory bail.

Apparently, the victim died due to injuries suffered in an accident with a train. There is a statement of eye witness recorded under Section 164 of the Code of Criminal Procedure, suggesting that the victim committed suicide. There is also a statement recorded under Section 164 of the Code of Criminal Procedure of the mother of the victim.

The investigations are inter alia under Section 302/34 of the Indian Penal Code, 1860. All the four petitioners are ladies.

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 cooperate with the investigation till the conclusion of the investigation 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) 5024 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)