

34 14.11.2022
(AD)
Court No.29
(Allowed)

C.R.M. (A) 5181 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chapra** P.S. Case No.**491 of 2022** dated **14/08/2022** under Sections **304/34** of the Indian Penal Code, 1860.

And

In the matter of: **Rubina Mondal & Ors.**

....petitioners.

Mr. Prabir Majumder

...for the petitioners.

Mr. P.K. Datta

Mr. Kum Kum Mitra

...for the State.

Petitioners pray for anticipatory bail.

The post-mortem was performed on the deceased subsequent to the exhumation of the body of the deceased after six months of the date of death. Apparently, the deceased died out of natural causes. There is a delay in the lodgment of the police complaint.

In such circumstances, we 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 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.1 and 3 will cooperate with the investigation till the conclusion of the investigation and petitioner nos.2 and 4 will report before the Investigating Officer

once a month till the conclusion of the investigation 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 5181 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)