

17.11.2022
Serial no. 22
[Dd]
(Anticipatory Bail)
(Allowed)

CRM (A) 5254 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Nakashipara** Police Station Case No. **779** of **2022** dated **06.10.2022** under Sections **498A/406/302/34** of the Indian Penal Code.

-And-

In the matter of : **Amanullah Shaikh @ Amin Shaikh @ Sk. & Ors.**

... .. **Petitioners**

Ms. Minoti Gomes,
Mr. Amanul Islam,
Mr. Sourav Mukherjee, Advocates
... .. *For the Petitioners*

Mr. Saswata Gopal Mukherjee, Id. PP
Mr. Aniket Mitra, Advocates
... ..*For the State*

The husband is still in custody.

The police complaint was lodged after 8 years of marriage.

The postmortem report of the victim suggests that the death was due to asphyxia – antemortem hanging by neck which is suicidal in nature. The allegations against the petitioner are general and omnibus in nature.

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. 1 and 2 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner no. 3, 4, 5 and 6 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) 5254 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)