

25.11.2022

38

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5474 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jetia** Police Station Case No. **147** of **2022** dated **18.08.2022** under Sections 498A/306/304B/34 of the Indian Penal Code, 1860.

And

In Re : Gopal Biswas & Anr.

..... petitioners

Mr. Arnab Chatterjee

Mr. Anisur Rahaman

Ms. Dhanasree Biswas

....for the petitioners

Mr. S. G.Mukherjee, learned Public Prosecutor

Mr. Sekhar Barman

Mr. Rohit Prasad

....for the de-facto complainant

Mr. Partha Pratim Das

Ms. Eshita Dutta

....for the State

Leave granted to the learned advocate on record for the petitioner to correct the cause title.

Apparently, the victim committed suicide.

The post mortem report of the victim does not bear any other injury than the non-continuous ligature mark.

The statements of the recorded under Section 161 of the Code of Criminal Procedure levels general and omnibus allegations against the petitioners.

The husband is in custody.

The police filed charge-sheet.

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/- 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)