

07.02.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 539 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **1113** of **2022** dated **09.12.2022** under Sections 306/34 of the Indian Penal Code.

And

In Re : Nigar Bibi @ Negar Khatun & Ors.

..... petitioners

Mr. Soupal Chatterjee

Ms. Sucheta Banerjee

....for the petitioners

Mr. Joydeep Roy

Mr. Amanul Islam

....for the State

Other co-accuseds similarly circumstanced were granted anticipatory bail in the same police case. The same is not contested by the State.

In such circumstances, we extend the same facilities 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 further condition that the petitioner no. 1 (Nigar Bibi @ Negar Khatun) shall cooperate with the Investigating Officer till the conclusion of the investigation and petitioner nos. 2 (Eliash @ Ilias) and 3 (Hanif)

shall meet the Investigating Officer once a fortnight 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)