

16.02.2023
07 & 56
Ct. No. 29
KAUSHIK
allowed

C.R.M.(A) 367 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chapra** Police Station Case No. **312** of **2022** dated **23.05.2022** under Sections 306/34 of the Indian Penal Code.

And

In Re : Firoja Mondal @ Firoja Bibi

..... petitioner

with

C.R.M.(A) 689 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chapra** Police Station Case No. **312** of **2022** dated **23.05.2022** under Sections 306/34 of the Indian Penal Code.

And

In Re : Asan Mondal & Anr.

..... petitioner

Mr. Prabir Majumdar

....for the petitioners in both the applications

Mr. Debabrata Chatterjee

Ms. Debjani Dasgupta

....for the State in CRM(A) 367 of 2023

Mr. S. G. Mukherjee, learned Public Prosecutor

Ms. Faria Hossain

Ms. Baisali Basu

....for the State in CRM(A) 689 of 2023

Two applications for anticipatory bail are taken up for consideration analogously as they emanate out of the same police case.

The victim committed suicide.

The petitioners returned with the dead body of the victim. The police complaint was lodged 35 days after the death of the victim.

Materials in the case diary does not suggest requirement of custodial interrogation of the petitioners.

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 further condition that the petitioners in CRM(A) 689 of 2023 shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner in CRM(A) 367 of 2023 shall cooperate with the Investigating Officer 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.

These applications for anticipatory bail are, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)