

27.03.2023
Serial no. 03
[Dd]
(Anticipatory Bail)
(Allowed)

CRM (A) 961 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **448** of **2022** dated **25.12.2022** under Sections **498A/304B/34** of the IPC and under Sections 3/4 of the Dowry Prohibition Act.

-And-

In the matter of : **Subir Mondal & Ors.**
... .. **Petitioners**

Ms. Karabi Roy, Advocate
... .. *For the Petitioners*

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

Mr. Asraf Mondal,
Md. Bani Israil, Advocates
.. ..*For the de facto complainant*

Report as called for submitted in Court be taken on record.

Subsequent to the order dated March 13, 2023, the police collected the chemical analysis report and placed it before the doctor conducting the postmortem who opined that the death was due to natural decease condition.

In view of such finding of the doctor conducting the victim, 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 as and when called for till the conclusion of the investigation and petitioner no. 3 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) 961 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)