

13.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 967 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Halisahar** Police Station Case No. **142** of **2022** dated **30.06.2022** under Sections 302/34 of the Indian Penal Code.

And

In Re : Saddam Sk. @ Saddam Ali @ Uday & Ors.

..... petitioners

Mr. Koustav Bagchi

Mr. Debayan Ghosh

Ms. Priti Kar

....for the petitioners

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

....for the State

Co-accused was enlarged on anticipatory bail by an order dated February 22, 2023 passed in CRM (A) 763 of 2023.

The post mortem report of the victim suggests that the poison was administered to the victim.

The police filed charge-sheet, inter alia, under Section 304 of the Indian Penal Code, 1860 claiming that, the victim was lynched to death.

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.)