

24.03.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 1224 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Shyampukur** Police Station Case No. **16** dated **23.02.2023** under Sections **306/34** of the Indian Penal Code.

And

In the matter of: Amit Shaw @ Amit Kumar Shaw & anr.

..... petitioners

Mr. Imtiaz Ahmed,
Mrs. Ghazala Firdaus,
Ms. Bhawna Tekriwal,
Mr. Sk. Saidullah,
Mr. Mithun Mondal,
Mr. Md. Arsalan

....for the petitioners

Mr. Avishek Sinha

....for the State

Apparently, the victim recorded a dying declaration on February 22, 2022 where she does not implicate any person for her death.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners will 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 that petitioner no.1, namely,

Aamit Shaw @ Amit Kumar Shaw will report before the Investigating Officer once in a month till the conclusion of the investigation and petitioner no.2, namely, Sampa Shaw @ Biswas will cooperate with the Investigating Officer till the conclusion of the investigation 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 accuseds 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.)