

30.03.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 1365 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Suti** Police Station Case No. **540** of **2022** dated **15.10.2022** under Sections **363/366/302/201/34** of the Indian Penal Code, 1860.

And

In the matter of : Tarikh Sk @ Tarikul Sk & anr.

..... petitioners

Mr. Angshuman Chakraborty,
Mr. Anisur Rahman

....for the petitioners

Mr. Saibal Bapuli, Id. A.P.P.
Mr. Arani Bhattacharyya

....for the State

Two petitioners before us claimed that they were falsely implicated.

Apparently, the victim died on September 4, 2021. A petition under Section 156 of the Criminal Procedure Code was lodged on September 29, 2022. The First Information Report was registered on October 15, 2022.

The victim was married to a different person. Apparently, the petitioners before us worked as daily labourers and resided in the vicinity at which, the victim and her husband resided.

Considering the materials in the case diary and considering the delay in the lodgment of First Information Report, 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/- (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 petitioners shall meet the Investigating Officer once in a fortnight till the conclusion of 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 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.)