

03.04.2023

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Ct. No. 29

**KAUSHIK**

Allowed

**C.R.M.(A) 1402 of 2023**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **1340** of **2022** dated **11.11.2022** under Sections 306/34 of the Indian Penal Code, 1860.

And

In Re : Latiful Ali

..... petitioner

Ms. Minoti Gomes

Mr. Imdadul Hoque

....for the petitioner

Mr. Bidyut Kumar Roy

Ms. Rita Dutta

....for the State

There is a finding of one oblique non-continuous ligature mark on the neck of the victim.

The post mortem report states that, the death was due to the effects of hanging ante mortem in nature.

The victim died at her paternal home.

Apparently, there was a relationship between the victim and the petitioner, which is said to be extra-marital in nature.

Considering the gravity of the offence and the involvement of the petitioner in the incident, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 shall meet the Investigating Officer once a month till the conclusion of the investigation and on condition that the petitioner 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 petitioner 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.)**