

05.04.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1439 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **41** of **2023** dated **02.02.2023** under Sections 417/306 of the Indian Penal Code, 1860 and read with Section 4 of the POCSO Act.

And

In Re : Jaitun Bibi & Ors.

..... petitioners

Ms. Minoti Gomes

Mr. Imdadul Hoque

....for the petitioner

Mr. Avishek Sinha

....for the State

Apparently, the victim committed suicide.

Apparently, the victim was a minor at the time of her death.

Apparently, there was a proposal of marriage between the victim and the principal accused, who is in custody. Such proposal of marriage was turned down.

The petitioners before us are the parents of the principal accused and the brother-in-law of the principal accused.

Considering the gravity of the offence and the involvement of the petitioners in the incident, 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 further condition that the petitioner nos. 2 (Ibrahim Ansari @ Ebrahim Ansari) and 3 (Jabed Ansari @ Md. Jawed Ansari) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner no. 1 (Jaitun Bibi) shall cooperate with the Investigating Officer till the conclusion of the 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 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.)