

18.04.2023

28

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1622 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hasnkhali** Police Station Case No. **274** of **2023** dated **30.03.2023** under Sections 498(A)/304B/34 of the Indian Penal Code, 1860.

And

In Re : Reksina Tarafdar @ Rexana Mondal & Ors.

..... petitioners

Mr. Niladri Sekhar Ghosh

Ms. Sompurna Chatterjee

Mr. Sourav Mondal

....for the petitioners

Mr. S. G. Mukherjee, learned Public Prosecutor

Mr. Aniket Mitra

....for the State

Apparently, the victim committed suicide.

There are two statements of relatives of the victim claiming that, they believe that due to the torture meted out by the petitioners, the victim committed suicide.

At this stage, the case diary does not contain any statement of any neighbour implicating any of the petitioners in the incident of torture.

The petitioners, apparently, lives separately.

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 further condition that the petitioner no. 3 (Sariful Mandal) shall meet the Investigating Officer once a week till the conclusion of the investigation and petitioner nos. 1 (Reksina Tarafdar @ Rexana Mondal) and 2 (Rehena Mondal) 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.)