

31.08.2023

SL. 59

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 3587 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Rejinagar** Police Station Case No. **140** of **2023** dated **06.06.2023** under Sections **302/120B/34** IPC.

And

In the matter of: **Serful Molla @ Sherful Molla & Anr.**

....petitioners.

Mr. Amanul Islam

Mr. Sourav Mukherjee

...for the petitioners.

Mr. P. K. Datta, Ld. APP

Mr. Prodipta Ganguli

...for the State.

1. Heard learned Counsel for the parties.
2. Sons of petitioner nos. 1 and 2 were playing with the son of the informant. In course of such playing, the son of informant died by an accidental fire. There is no eyewitness account regarding the occurrence. The FIR has been lodged after four months of the occurrence suspecting the role of the present petitioners and others in the entire transaction.
3. Regard being had to the facts and submission, factum of permanent residence of the petitioners, nature of allegation and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail in the event of their arrest by the Arresting Officer in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances including the conditions that:
 - i) the petitioners are directed to appear before the I.O. once in a fortnight on the day and time fixed by

the I.O. for the purpose of investigation till submission of Final Form;

4. The petitioners are directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 3587 of 2023** is disposed of.
7. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

