

13.09.2023
ML. 37
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3644 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Khardah** Police Station Case No. **734** dated **10.09.2022** under Sections **306/34** of the IPC.

And

In the matter of: **Abdur Rahim Chowdhury @ Abdul Rahim Chowdhury**

....petitioner.

Mr. Y. J. Dastoor, Sr. Adv.
Mr. Md. Adil Badr
Mr. Sobhan Gani
Mr. Md. Aqib Badr
Mr. Shakti Shivam
Ms. Nafisa Anwar
Mr. Vishal Prasad

...for the petitioner.

Mr. Tanmoy Kr. Ghosh
Ms. Sonali Bhar

...for the State.

1. Heard learned Counsel for both the parties.
2. From the statement of the witnesses recorded under Section 161 Cr.P.C. which includes the wife of the landlord under whom the petitioner was staying as a tenant and brothers of the deceased speaks up some matrimonial bickering between the husband and the wife. But we do not *prima facie* find any ingredients of Section 107 IPC.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.

5. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3644 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

