

22.01.2024
Item No.23
Ct. No. 29
CHC
Allowed

C.R.M.(A) 150 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jalangi** Police Station Case No. **362/2023** dated **30.10.2023** under Sections **302/34** of the Indian Penal Code.

And

In the matter of : Mannan Sha & ors.

..... petitioners

Ms. Chandrima Debnath
....for the petitioners

Mr. Joydeep Roy, ld. Jr. Govt. Adv.
Mr. Arindam Sen
....for the State

Petitioners pray for anticipatory bail.

Principal accused was enlarged on bail by the jurisdictional Court on the ground that statements recorded under Section 161 of the Criminal Procedure Code of some witnesses suggest that instigation and abetment of suicide.

We perused the Post Mortem Report of the victim.

The victim is the husband.

Post Mortem Report of the victim suggests that the death was due to the effects of hanging, antimortem in nature. Post Mortem Report records one injury as one non-continuous obliquely placed ligature mark high up around the neck. Apparently, Post Mortem Report suggest suicide. As to whether, the petitioners were involved in the abetment to suicide or not, may be decided at the trial. Principal accused was enlarged on

bail by the jurisdictional Court on the ground of the victim committing.

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/- (Rupees Ten Thousand only) 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 petitioners will report before the Investigating Officer once in a week till the conclusion of 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.

CRM(A) 150 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)