

07.02.2024

Item No.25

Ct. No. 29

CHC

Allowed

C.R.M.(A) 406 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kulti** Police Station Case No. **635** of **2023** dated **23.11.2023** under Sections **325/308/120B** adding Section **304** of the Indian Penal Code.

And

In the matter of : Kamala Devi @ Kamala Devi Paswan

..... petitioner

Mr. Avik Ghatak,

Mr. Saibal Dasgupta

....for the petitioner

Mr. Saryati Datta

....for the State

Petitioner prays for anticipatory bail.

Case Diary does not contain the Post Mortem Report.

There is a death certificate of the victim stating that the death was due to cardio respiratory failure in a case of CDA with pneumonia.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), 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 will cooperate with the investigation and on further condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 406 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)