

29.02.2024

21

Ct. No. 29

S.D.

Allowed

C.R.M.(A) 716 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raghunathganj** Police Station Case No. **18 of 2023** dated **07.01.2023** under Section **304/34** of the Indian Penal Code.

And

In Re : **Sahimaddin Sk. alias Sainuddin Sk alias Bala**

..... petitioner

Ms. Shabana Hasin

...for the petitioner

Ms. Subhasree Patel

...for the State

Police filed a charge sheet, *inter alia* under Section 304/34 of the Indian Penal Code, 1860 as against the petitioner.

As to whether, the petitioner was involved in the assault leading to the death, may be decided at the trial.

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/-, 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. 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.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)