

28.03.2024
Item No.23
Ct. No. 29
CHC
Allowed

C.R.M.(A) 944 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sagardighi** Police Station Case No. **53** of **2024** dated **07.02.2024** under Sections **498A/304B/34** of the Indian Penal Code, **pending before the Learned Court of Additional Chief Judicial Magistrate, Jangipur, Murshidabad.**

And

In the matter of : Rani Mandal @ Mondal @ anr.

..... petitioners

Md. Golam Nure Imrohi
....for the petitioners

Mr. Saibal Bapuli, Ld. A.P.P.
Mr. Sk. Arif Hossain
....for the State

Affidavit-of-service filed in Court be taken on record.

None appears for the de facto complainant despite service.

There is a delay of about a year from the date of the incident with the lodgment of the First Information Report.

Post Mortem Report of the victim suggests that death was due to the effect of poisoning ante mortem in nature. Husband was arrested.

Police are yet to conclude the investigation.

Considering the period of delay and the nature of the Post Mortem Report, 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 petitioner no.1, namely, Rani Mandal @ Mondal will cooperate with the investigation and petitioner no.2, namely, Sarat Mandal @ Sharat Mondal @ Mandal will report before the Investigating Officer once in a fortnight till the conclusion of investigation and on further 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) 944 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)