

21.05.2024
DL-7
Court No.3
(AD)
(Allowed)

C.R.M. (A) 1684 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gangnapur** Police Station Case No.**56 of 2024** dated **19.03.2024** under Section **304** of the Indian Penal Code, 1860, pending before the Learned Additional Chief Judicial Magistrate, Ranaghat, Nadia. (Serial No.262 of 2024).

And

In the matter of: **Usha Sarkar**

....petitioner.

Ms. Sananda Bhattacharyya

...for the petitioner.

Ms. Zareen N. Khan

Mr. Aslam Parvez

... for the State.

Ms. Sahili Dey

... for the de facto complainant.

1. A person expired due to electrocution.
2. Police requested the West Bengal State Electricity Distribution Company Limited to visit the locale and submit a report as to whether, the charging of the fence was deliberate or not.
3. The report of the Distribution Company is that, there may be leakage which resulted in the fencing wire getting charged.
4. Benefit of doubt should obviously be extended to an accused.
5. In such circumstances, we grant anticipatory bail to the petitioner.
6. 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the

Investigating Officer once a week till the conclusion of the investigation and on 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.

7. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
8. **C.R.M. (A) 1684 of 2024** is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)