

22.05.2024  
Item No.11  
Ct. No. 3  
**CHC**  
Allowed

**C.R.M.(A) 1740 of 2024**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **353** of **2024** dated **26.03.2024** under Sections **302/323/325/341/34** of the Indian Penal Code, pending before the Court of Learned Chief Judicial Magistrate, Malda.

And

In the matter of : Najima Bibi & ors.  
..... petitioners

Mr. Mrityunjoy Chatterjee,  
Mr. Arindam Poali  
....for the petitioners

Mrs. Zareen N. Khan,  
Ms. Baishakhi Chatterjee  
....for the State

Petitioners pray for anticipatory bail.

Post Mortem Report of the deceased suggests that, the death was due to the effect of diseased condition of organ as described. It also shows that, the death was a natural one. No external or internal injury was detected during the Post Mortem Report.

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 petitioner no.2, namely, Firoj Sk. will report before the Investigating Officer once in a week till the conclusion of investigation and petitioner no.1, namely, Najima Bibi and petitioner no.3, namely, Hasina Bibi will cooperate with the 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) 1740 of 2024 is disposed of.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**