

05.07.2024
Court No.29
Item No. 73

Allowed

sg

CRM (A) 2195 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 1271 of 2022 dated 15.12.2022 under Sections 306/34 of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate, Krishnagar, Nadia.

And

In Re: **Bablu Sk @ Chattu Sk & Anr.**

Petitioners

Mr. Atis Kumar Biswas

Ms. Piyu Mandal

For the Petitioners

Ms. Sreyashi Biswas

Mr. Atanu Ghosh

For the State

1. The learned Counsel for the petitioners submits that the petitioner no.1 is the father-in-law and the petitioner no.2 is the mother-in-law of the deceased. The petitioners submit that the petitioners have been falsely implicated.
2. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has referred to the case diary and statement of the neighbour recorded under Section 164 of the Cr.P.C. and the postmortem report which shows that the death was due to poison.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of alleged offence and that the wife of the deceased has been enlarged on bail and also having regard to the fact that the charge sheet has already been filed, we are of the view that custodial interrogation of the present petitioners is not necessary.

1. Accordingly, we direct that in the event of arrest the petitioners namely, **Bablu Sk @ Chattu Sk and Monowara Bibi**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Krishnagar, Nadia and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The petitioner shall appear before the learned Trial Court, in connection with G.R. Case No. 3567 of 2023 within two weeks from date and thereafter on each and every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future.
2. In the event petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
3. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
4. CRM (A) 2195 of 2024 is, thus, disposed of.
5. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)