

24.01.2024

DL.38

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4986 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raghunathganj** Police Station Case No. **337 of 2023** dated **23.04.2023** under Sections **304/34** of the Indian Penal Code, 1860 (G.R. Case No.930 of 2023).

And

In the matter of: **Majibur Sk @ Majibur Seikh & Ors.**

....petitioners.

Mr. Sourat Nandy

...for the petitioners.

Mr. Ranabir Roy Chowdhury

Mr. Sandip Chakraborty

...for the State.

Post-mortem report of the victim shows that there is no external injury on the victim.

Statements recorded under Section 164 of the Code of Criminal Procedure claims that there was an altercation and thereafter physical assault by fists and blows.

Again, the post-mortem report speaks of the possibility of a cardio vascular failure.

Police filed charge sheet.

Given such materials in the case diary, we deem it to appropriate to 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 4986 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)