

48 25.01.2024  
(AD) Court No.29  
(Allowed)

**C.R.M. (A) 5046 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Banshihari P.S. Case No.166 of 2023** dated **10/07/2023** under Sections **306/34** of the Indian Penal Code, 1860, G.R. Case No.718 of 2023.

And

In the matter of: **Mohammadur Hasan Sarkar @ Hasan Sarkar & Ors.**

....petitioners.

Mr. Kaushik Chaudhury  
Ms. Busra Khatun

...for the petitioners.

Mr. Madhusudan Sur, Ld. APP  
Mr. Dipankar Paramanick

...for the State.

Apparently, the victim committed suicide.

Coordinate Bench granted bail to the principal accused by the order dated September 26, 2023 passed in CRM (DB)3740 of 2023.

As to the nature and extent of the abetment, if there be any, in the commission of the suicide by the present petitioners, may be decided at the trial.

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 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 nos.1,2 and 3 will report before the Investigating Officer once a month till the conclusion of the investigation and petitioner no.4 will cooperate with the investigation till the conclusion of 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.

The prayer for anticipatory bail of the petitioners is allowed.

**C.R.M. (A) 5046 of 2023** is disposed of.

**(Debangsu Basak, J.)**

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