

24.01.2024

Serial no. ML 357

Anticipatory Bail

[Allowed]

Dd

CRM (A) 5051 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kalna** Police Station Case No. **1055** of **2023** dated **06.09.2023** under Sections **302/34** of the Indian Penal Code, 1860.
(G.R. Case No. 2061 /2023)*

-And-

In the matter of : **Sarvin Seikh @ Sarvin Salman Shaikh @ Sarvin Begum & Ors.**

... .. Petitioners

Mr. Jyoti Prakash Chatterjee,

Mr. Debottam Das, Advocates

... .. For the Petitioners

Ms. Faria Hosssain,

Mr. Anand Keshri, Advocates

... ..For the State

Postmortem report is inconclusive with regard to cause of death. Statement recorded under Section 161 of the Criminal Procedure Code suggests that the victim committed suicide.

Such statement stated that, the petitioners before us were involved in instigating the victim who led a lifestyle which was beyond his means. The role of the petitioners in the commission of the suicide 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 be subject to the conditions as laid down under

Section 438(2) of the Code of Criminal Procedure, 1973 and petitioners shall cooperate with the investigation till its completion and on further 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 5051 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)