

21.11.2024
Sl. No.33
akd
[ALLOWED]

C. R. M. (A) 4040 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 13.11.2024 in connection with Krishnagar Kotwali Police Station Case No.961 of 2024 dated 01.09.2024 under Sections 123/103(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: **Hayder Ali Sekh & Ors.**

... .. Petitioners

Mr. Sayan Banerjee

... .. for the petitioners

Ms. Amita Gaur
Mr. Aritra Bhattacharya

... .. for the State

1. It is submitted on behalf of the petitioners the deceased had molested the daughter of petitioner no.2. A criminal case was registered and the deceased was arrested. Subsequently, he committed suicide. Petitioners have been falsely implicated. Accordingly, they pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. It is contended deceased molested the daughter of petitioner no.2. He was arrested. After being released on bail, he committed suicide. Allegation of pouring poison in his mouth appears to be highly improbable. In view of the aforesaid facts, we are of the opinion custodial interrogation of the petitioners is not necessary and they may be granted anticipatory bail.
4. Accordingly, we direct in the event of arrest, the petitioners, namely, **(1) Hayder Ali Sekh, (2) Shaider Ali Sekh, (3) Babar Ali Sekh & (4) Fulsuratan Bibi**, 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioners shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

5. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)