

19.12.2024
15.
Ct. No. 28
SG
[ALLOWED]

C. R. M. (A) 4277 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Lalgola Police Station Case No. 1072 of 2024 dated 28.10.2024 under Section 498A of the Indian Penal Code read with Sections 80/105/3(5) of BNS read with Sections 3/4 of DP Act (G.R. Case No. 5339 of 2024).

And

In Re: **Enamul Haque and Anr.**

... .. Petitioners

Ms. Soma Mal,
Ms. Rabia Khatoon.

... .. for the petitioners

Ms. Baisali Basu,
Ms. Puja Goswami.

... .. for the State

1. Post mortem report is filed.
2. Heard learned Advocates for the parties.
3. We have considered the materials on record. Post mortem report shows ligature mark is non-continuous and obliquely placed high up on the neck which is indicative of suicidal hanging. Allegation of strangulation does not find support from the nature of injury noted in the post mortem report. Other allegations of torture are general and omnibus.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.
5. Accordingly, we direct that in the event of arrest, the petitioners viz., **(1) Enamul Haque** and **(2) Sahabuddin** be released on bail upon furnishing a bond of Rs.10,000/- 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. They shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)