

19.12.2024
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as
[ALLOWED]

C. R. M. (A) 4448 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with A. J. C. Bose B. Garden Police Station Case No. 171 of 2024 dated 13.09.2024 under Sections 103/238/3(5) of the BNS 2023.

In Re: ***Afsana Khatoon @ Apsana Khatun & Ors.***

... ... Petitioners

Mr. Mrityunjoy Chatterjee,
Mrs. S. Chakraborty,
Mr. Debapriya Majumder,
Mr. A. Poali.

... ... for the petitioners

Mr. Avishek Sinha,
Mr. S. S. Saha.

... ... for the State

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioner no.1 is the wife of the deceased and petitioner Nos.2 and 3 are his father-in-law and brother-in-law respectively. Allegation of murder is improbabilised by the findings in the post mortem report which discloses death is due to ante mortem hanging. Ante mortem hanging is predominantly suicidal.
3. In such view of the matter, we are of the opinion custodial interrogation of the petitioners may not be necessary and they may be granted anticipatory bail.
4. Accordingly, we direct that in the event of arrest, the petitioners 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 BNSS. They

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.)