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**CRM 7504 of 2020
CRAN 1 of 2020
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Mekhliganj P.S. Case No.23 of 2020 dated 24.01.2020 under Sections 498A/304B of the Indian Penal Code.

And

In the matter of: Prakash Chandra Dhar

....Petitioner.

Mr. Subham Gupta

...for the Petitioner.

Mr. A. Sarkar

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within a month of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

Accordingly, CRAN 1 of 2020 is disposed of.

It is submitted on behalf of the petitioner that the victim had an illicit affair and she had committed suicide on a day when he was in Bangalore.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the victim was subjected to torture by the petitioner who is her husband and other in-laws. As a consequence she had committed suicide.

Having considered the materials on record and keeping in mind the offence relates to dowry death and not one of murder. Hence, presence of the accused at the place of crime is not a sine qua non for

his complicity. In view of the aforesaid fact and the statement of witnesses prima facie establishing the case of torture causing unnatural death within seven years of marriage, we are of the opinion it is not a fit case to grant anticipatory bail to the petitioner.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)