

12.11.2020

Sl. No.56

Ct. no.8

PP/BM

CRM 9015 of 2020

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Bhadreswar Police Station case No.354 of 2019 dated 24.02.2019 under Sections 498A/304B/34 of the Indian Penal Code.

And

In the matter of : Shyam Babu Sah @ Gupta & Anr.

... Petitioners

Mr. Arunava Ganguly ... for the petitioners

Mr. Narayan Prasad Agarwala

Mr. Goutam Wilson ... for the State

The present application has been preferred second time without any substantial change of circumstances as such the application is dismissed as infructuous. However, having regard to the fact that as submitted by the learned advocate for the State that the husband was arrested and after substantial period of time he was released on bail and the fact that charge sheet has already been filed, we are of the opinion that in case the present petitioner no.1 who happens to be father-in-law and the petitioner no.2 who is the Uncle-in-law of the deceased if they surrender before the learned Magistrate, the learned Magistrate would consider whether their custodial detention is any further required or not in the facts and circumstances, when the husband has already been released on bail.

With the aforesaid observation application for anticipatory bail being CRM 9010 of 2020 is disposed of.

(Tirthankar Ghosh, J)

(Shivakant Prasad, J.)

