

35. 28.07.2021

Ct.32

Tanmoy

C.R.M. 1639 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **09/02/2021** in connection with **Kolaghat Police Station Case No. 424** dated **17/12/2020** under Sections **498A/306/34** of the Indian Penal Code.

And

In the matter of: - **Mohan Haldar @ Mohan Chandra Haldar & Ors.**

....petitioners.

Mr. Ayan Basu,
Mr. Sourav Bera,
Mr. Sumit Routh

...for the petitioners.

Mr. Saswata Gopal Mukherji, Ld. P.P.,
Mr. Partha Pratim Das,
Mrs. Manasi Roy

...for the State.

The petitioner Nos. 1 and 2 are the parents-in-law and the petitioner no.3 is the sister-in-law of the victim, who is said to have committed suicide. The incident occurred 12 years after the marriage. A case has been initiated against, among others, the petitioners, under Section 498A read with Section 306 of the Indian Penal Code. Section 34 of the I.P.C. has also been invoked.

We have seen the material on record. We have heard learned Counsel for the parties. It appears that the complaint was filed six months after the incident. From the submission made by learned Counsel for the petitioners, it appears to us that it is possible that the complaint was made by way of counter-blast. We have also considered the post mortem report.

The charge-sheet has been filed. The petitioners say that they will fully co-operate if they are interrogated.

In the facts and circumstances of the case, we are of the view that immediate custodial interrogation of the petitioners may not be necessary and they may be granted anticipatory bail.

Accordingly, in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

The application for anticipatory bail being C.R.M. 1639 of 2021 is, thus, **allowed**.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)