

32. 18.08.2021

Ct.32

Tanmoy

Allowed

C.R.M. 2135 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **24/02/2021** in connection with **Rampurhat Police Station Case No. 180/2020** dated **27/05/2020** under Sections **498A/302/304B/34** of the Indian Penal Code.

And

In the matter of: - **Jakir Khan @ Jakir Kha & Anr.**

....petitioners.

Mr. Angshuman Chakraborty

...for the petitioners.

Mrs. Sukanya Bhattacharya,
Mr. Nirupam Dhali

...for the State.

The petitioners are the parents-in-law of the victim lady who appears to have committed suicide. The allegations are under Sections 498A/302/304B/34 of the Indian Penal Code.

We have seen the material in the Case Diary. The statements of witnesses recorded under Section 161 of the Code of Criminal Procedure and the post mortem report do not *prima facie* suggest the direct involvement of the petitioners in the commission of the alleged offence. The husband of the victim lady was apprehended and enlarged on bail. Charge-sheet has been submitted.

In view of the aforesaid and on an overall assessment of the facts and circumstances of the case, we are of the opinion that immediate custodial interrogation of the petitioners is not necessary so long as they co-operate with further investigation, if any.

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.

In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application being C.R.M. 2135 of 2021 is, accordingly, disposed of.

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.)