

06.08.2021
Item no.45.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 2281 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 25.2.2021 in connection with Bhupatinagar Police Station Case No.129 of 2020 Dated 1.9.2020 under Sections 498A/304B/34 of the Indian Penal Code

And

In the matter of : Debayan Jana & Others

.....Petitioners.

Mr. Arindam Jana,
Mr. Soumyajit Chatterjee,
Mr. Prasenjit Debnathfor the Petitioners.

Mr. S. G. Mukherjee, Ld. PP,
Ms. Faria Hossain,
Mr. Aniket Mitrafor the State.

The petitioner no.1 is the brother-in-law and the petitioner nos.2 and 3 are the parents-in-law of the victim lady. We are told that she committed suicide within 18 days of the marriage.

Learned Advocate for the petitioners submits that the petitioners had absolutely no role to play in the incident. On instructions, he submitted that after the marriage, the husband and the victim lady resided separately since the family of the husband did not approve of the marriage.

The State refers to statements of neighbours and relatives recorded under Section 161 of the Code of Criminal Procedure. It is submitted that the husband and the in-laws used to torture the victim lady for more dowry.

We have considered the material in the case diary and the facts and circumstances of the case. Charge sheet has been submitted upon completion of investigation. The victim committed suicide. From the material presently available, no definite role of the petitioners can be seen. Hence, we are of the view that this is a case where anticipatory bail may be granted to the petitioners.

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.

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 for anticipatory bail being C.R.M. No.2281 of 2021 is, thus, allowed.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)