

24.09.2021  
Item no.61.  
Court No.32.  
AB  
**(Allowed)**

**(Via Video Conference)**

**CRM No. 3112 of 2021**

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 5.4.2021 in connection with Pukhuria Police Station Case No.343 of 2016 Dated 24.10.2016 under Sections 498A/307/34 of the Indian Penal Code read with Sections 3/4 of the D. P. Act

And

**In the matter of : Safirul Sk. & Anr.**

.....Petitioners.

Mr. Tapan Dutta Gupta,  
Mr. Parvej Anam .....for the Petitioners.

Mr. Tanmoy Kr. Ghosh,  
Mr. Arindam Sen .....for the State.

The allegation is of torture and setting the victim on fire. The victim succumbed to the burn injuries.

We have seen the statement in the case diary including that of the son of the victim. The main allegation is against the victim's husband, who is in custody. General allegations of omnibus nature of torture on the victim are there against the other family members.

On an overall assessment of the material on record and the possible extent of complicity of the petitioners, who are the brother-in-law of the victim and his wife, and also keeping in mind that charge sheet has already been submitted, we are of

the view that immediate custodial interrogation of the petitioners is not necessary so long as they cooperate with the further investigation, if any.

Accordingly, in the event of arrest, the petitioners, namely Safirul Sk. and Lovely Bibi 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.3112 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.

**(Bivas Pattanayak, J.)**

**(Arijit Banerjee, J.)**