

49. 08.10.2021

Ct.32

Tanmoy

Allowed

C.R.M. 3707 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **04/05/2021** in connection with **Raiganj Police Station Case No. 68 of 2021** dated **29/01/2021** under Sections **498A/304B** of the Indian Penal Code.

And

In the matter of: - **Shyamal Kumar Das**

...petitioner.

Mr. Kaushik Choudhury

...for the petitioner.

Mr. Neguive Ahmed, Ld. A.P.P.,
Ms. Zareen N. Khan,
Ms. Amita Gaur

...for the State.

The petitioner is the father-in-law of the victim lady who is said to have committed suicide by hanging. He says that he has no role to play in the death of the victim lady. He treated the victim with a lot of affection.

We have seen the 'suicide note' left behind by the victim lady. She implicates nobody. We have also seen the statement of the victim's father recorded under Section 164 of the Code of Criminal Procedure. There is only a very general allegation of torture against the husband's family members.

On an overall consideration of the facts and circumstances of the case and the material on record, we are of the view that immediate custodial interrogation of the petitioner may not be necessary so long as he co-operates with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner, *viz.*, **Shyamal Kumar Das** shall be released on bail upon furnishing a bond of Rs.10,000/- 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.

And on further condition that the petitioner shall meet the Officer-in-Charge of the concerned Police station once in every fortnight until further orders.

In case the petitioner fails 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. 3707 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.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)