

23.02.2021  
tkm/ct 28  
sl no. 134

**C.R.M. 9389 of 2020**  
**(Through video conference)**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Tehatta P.S Case no. 453 of 2020 dated 17.10.2020 under sections 498A/304B/302/34 of the IPC.

And

**Allowed**

In Re : Sanjay Ghosh & Ors.

..... petitioners

Mr. Partha Pratim Das

..... for the petitioners

Mr. Imran Ali

Ms. Sema Biswas

..... for the State

Mr. Das, learned advocate for the petitioners do not intend to press the application on behalf of the petitioner no. 1 who happens to be the husband of the deceased.

Learned advocate further submits that petitioner no. 2 is the brother-in-law, petitioner no. 3 is the sister-in-law, petitioner no. 4 is the father-in-law and petitioner no. 5 is the married sister-in-law of the victim/deceased.

Learned advocate additionally submits that marriage was solemnized four years prior to the date of the incident and during the pendency of the proceeding the mother-in-law and one of the brother-in-law were arrested and they were subsequently granted bail.

Learned advocate for the State opposes the prayer for anticipatory bail and submits that there are allegations of physical and mental torture being inflicted upon the deceased.

We have perused the material on record and assessed the incriminating materials appearing against the present petitioners. Having considered the same, we are of the opinion that custodial interrogation of the petitioners no. 2 to 5 may not be warranted in the facts of the instant case as such their prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioners no. 2 to 5 namely Karna Ghosh @ Karnadhar Ghosh, Shilpa Ghosh, Narad Ghosh and Latika @ Minati Ghosh shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

So far as petitioner no. 1 is concerned, the same is dismissed as not pressed.

With the aforesaid observations, CRM 9389 of 2020 is disposed of.

**(Tirthankar Ghosh, J.)**

**(Tapabrata Chakraborty, J.)**