

04.03.2021
Court No.28
Item No. 36
Sc

**C.R.M. 10772 of 2020
(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In re: **Tafijul Rahaman Mallik @ Tofijul Mallick @ Tofijul Mollick
& Anr.**

.....Petitioners

Mr. Navonil De

.....For the Petitioners

Mr. Saswata Gopal Mukherjee
Mr. Aniket Mitra.

.....For the State

Apprehending arrest in connection with Burwan Police Station Case No. 203 dated 19.07.2020 under sections 498A/304B/34 of the Indian Penal Code, the petitioners have filed the present application.

The petitioners before this Court are the father-in-law and the mother-in-law of the deceased.

Mr. De, learned advocate appearing for the petitioners submits that the victim went to her parental home and, thereafter, committed suicide by hanging after a period of one and half years. According to the learned advocate the principal accused, being the husband, was arrested and subsequently released on bail.

Mr. Mitra, learned advocate appearing for the State opposes the petitioners' prayer and submits that there are statements of the neighbours in the case diary which reflect involvement of the present petitioners.

We have perused the materials on record including that available in the case diary. We have also found that the

investigation of the case has already been concluded and the chargesheet has already been submitted. Having regard to the fact that the investigating agency has concluded the investigation, we are of the opinion that the custodial detention of the petitioners, at this stage, may not be required for the purpose of the case. Accordingly, the prayer for anticipatory bail of the petitioners, is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, Tafijul Rahaman Mallik @ Tofijul Mallick @ Tofijul Mollick and Sahinur Bibi Mallik @ Sahinur 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail, being CRM No. 10772 of 2020, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)