

17.07.2023

SL. 4

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 890 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Habibpur** P.S. Case No. **335 of 2021** dated **25.10.2021** under Sections **498A/304(B)/34** of the IPC corresponding to G.R. case No. **5952 of 2021** pending before the learned CJM, Malda.

And

In the matter of: **Khokan Mandal & Ors.**

....petitioners.

Ms. Jeenia Rudra

...for the petitioners.

Mr. Saswata Gupal Mukherji, PP

Ms. Faria Hossain

Ms. Mamata Jana

...for the State.

1. Heard learned Counsel for both the parties.
2. Considered the materials placed by them including the statement of the witnesses recorded under Sections 161 and 164 Cr.P.C. The petitioners are members of the family of the in laws of the deceased. Deceased is alleged to have died by hanging herself under suspicious circumstance. The statement of the witnesses shows that there is omnibus allegation against the present petitioners so far as harassment and torture of the deceased on the point of demand of dowry is concerned. Charge-sheet is stated to have been filed.
3. Regard being had to facts and submissions, factum of permanent residence of the petitioners and completion of investigation, it is directed that each of the petitioner shall appear before the learned Chief Judicial Magistrate, Malda within 15 days from today in G.R. case No. 5952 of 2021 arising out of aforesaid P.S. case. On their appearance and application for bail each of the petitioner shall be released on bail on such terms and conditions

as deemed just and proper in the facts and circumstances of the case.

4. The learned Chief Judicial Magistrate is directed to act upon the server copy of this order, if required.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 890 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

