

14.03.2023

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Ct. No. 29

**KAUSHIK**

Allowed

**C.R.M.(A) 1035 of 2023**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kandi** Police Station Case No. **565** of **2022** dated **08.10.2022** under Section 498A/326/307/34 of the Indian Penal Code and adding Section 306/304B of the Indian Penal Code.

And

In Re : Purnima Hazra alias Purnima Hajra & Anr.

..... petitioners

Mr. Manas Kumar Das

Mr. Siddhartha Sarkar

Mr. A. K. Thokdar

....for the petitioners

Mr. S. G. Mukherjee, learned Public Prosecutor

Mr. Aniket Mitra

....for the State

Police filed charge-sheet.

The husband was arrested and enlarged on bail by the Jurisdictional Court.

There is a dying declaration made by the victim claiming that, she committed suicide.

Apparently, the victim committed suicide due to the torture meted out.

As to whether the ingredients of Sections 306/304B of the Indian Penal Code, 1860 stands satisfied or not are issues to be decided at the trial.

At this stage, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, 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 and on condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**