

11.04.2023

Sl.7

Court No.29

(AD)

(Rejected)

C.R.M. (A) 1400 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Durgapur** Police Station Case No.**172 of 2023** dated **19.03.2023** under Sections **498A/302/406/120B/34** of the Indian Penal Code.

And

In the matter of: **Mili Nayak Ghosh @ Mili Ghosh**

....petitioner.

Mr. Rajdeep Majumder

Mr. Moyukh Mukherjee

Mr. Soewel Bhattacharjee

... for the petitioner.

Mr. Saswata Gopal Mukherji, Ld PP

Mr. Partha Pratim Das

Ms. Eshita Dutta

...for the State.

District Magistrate, Paschim Bardhaman is present in Court pursuant to the order dated April 10, 2023.

Learned Public Prosecutor submits on instructions that, the District Magistrate and, in fact, the police authorities are also taking appropriate steps in order to ensure that an appropriate standard operating system is put in place so that post-mortem reports are made available to the police as expeditiously as possible.

Four persons were found dead. All deaths are unnatural. Bodies were sent for post-mortem. Post-mortem reports of three of the victims suggest that, the death were homicidal in nature. One of the victims apparently committed suicide.

Police draws the attention of the Court to a photograph of the dead body of the victim whose post-mortem report suggests that, he committed suicide. The hands of such victim were photographed to be tied while he was hanging from the ceiling. According to the police, involvement of at least one more person in

the incident cannot be ruled out at this stage. Police also relies upon statements recorded under Section 161 of the Code of Criminal Procedure which according to the police implicates the petitioner.

Learned Advocate appearing for the petitioner submits that, the petitioner is a school teacher by profession. She is not involved in the incident. The husband committed suicide after murdering his family. The husband before committing suicide made a facebook post and uploaded a video with regard to the incident.

The investigations are at a nascent stage. The post-mortem reports were made available to the police only on April 6, 2023. The husband whose post-mortem report suggests suicide was photographed with his hands being tied while hanging from the ceiling.

The statement of neighbours recorded under Section 161 of the Code of Criminal Procedure suggests involvement of the petitioner.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 1400 of 2023 is dismissed.

Personal appearance of the District Magistrate, Paschim Bardhaman is dispensed with.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)