

19.04.2023

Serial no. 15

[Dd]

(Anticipatory Bail)

(Allowed)

CRM (A) 1644 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Dewandighi** Police Station Case No. **19** of **2023** dated **19.01.2023** under Sections **498A/306/34** of the IPC and Section **4** of the Dowry Prohibition Act.

-And-

In the matter of : **Sidhu Das & Anr.**

... .. Petitioners

Ms. Rajashree Tah, Advocate

... .. For the Petitioners

Mr. Bidyut Kr. Roy,

Ms. Rita Datta, Advocate

... ..For the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners lived separately than the matrimonial home of the victim.

Learned advocate appearing for the State draws the attention of the Court to the postmortem report of the victim and to the statement recorded by neighbours under Section 161 of the Criminal Procedure Code.

There are two statements of the neighbours which were placed before us. None of those two persons ascribed any particular role to any of the petitioners.

Postmortem report suggests that the victim committed suicide.

Police filed charge sheet.

In such circumstances, we are inclined to 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/- (Rupees Ten Thousand Only) 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 further 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 1644 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)