

24.04.2023

23

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1729 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Salboni** Police Station Case No. **14** of **2023** dated **11.01.2023** under Sections 498A/302/406/34 of the Indian Penal Code read with Sections 3/ 4 of the Dowry Prohibition Act.

And

In Re : Subodh Mandal & Ors.

..... petitioners

Ms. Minoti Gomes

Mr. Dhananjoy Banerjee

Ms. Oindrila Ghosh

Ms. Sangita Singh

....for the petitioners

Mr. S. G. Mukherjee, learned Public Prosecutor

Mr. Aniket Mitra

....for the State

Petitioners before us are the in-laws of the victim.

The petitioners rely upon medical documents of the victim claiming that the victim was being treated for her mental health. Suicidal attempt was noted in such medical document.

Learned Public Prosecutor appearing for the State refers to the materials in the case diary including the dying declaration of the victim.

Apparently, the victim committed suicide.

Again, apparently, there are medical documents to suggest that, the victim was suffering from a medical condition and that she made attempts to commit suicide.

The husband was enlarged on bail by the Jurisdictional Court.

In such circumstances, considering the gravity of the offence and the involvement of the petitioners in the incident, the materials in the case diary, 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 further condition that the petitioner nos. 1 (Subodh Mandal), 3 (Uttam Mandal @ Uttam Mondal) and 5 (Rakhu Mandal @ Rakhahari Mandal) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner nos. 2 (Rena Mandal @ Renukarani Mandal), 4 (Basanti Mandal @ Basanti Mondal) and 6 (Basanti Mandal) shall cooperate with the Investigating Officer till the conclusion of the investigation 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.)

(Rai Chattopadhyay, J.)