

07.06.2023

Sl. 8

Court No. 29

Sourav/

Suvayan

(Allowed)

C.R.M. (A) 2164 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Khejuri** Police Station Case No. **118** of **2022** dated **13.04.2022** under Sections **498A/304B/34** of the Indian Penal Code, 1860, Section **4** of the D.P. Act and Sections **9/11** of the Prohibition of Child Marriage Act (G.R. Case No. 702 of 2022).

And

In the matter of: **Pradip Das**

....petitioner.

Mr. Indrajit Chatterjee

...for the petitioner.

Mr. Bidyut Kr. Roy

Ms. Rita Datta

...for the State.

1. Heard learned Counsel for both the parties.
2. This petition for anticipatory bail being CRM (A) 2164 of 2023 arises out of Khejuri Police Station Case No. 118 of 2022 dated 13.04.2022 under Sections 498A/304B/34 of the Indian Penal Code, 1860, Section 4 of the D.P. Act and Sections 9/11 of the Prohibition of Child Marriage Act.
3. The petitioner is stated to be the father-in-law of the deceased. Admittedly, the husband and the mother-in-law of the deceased have already been released on regular bail. Charge-sheet is stated to have been filed in the meantime which presupposes that there is no need of custodial interrogation of the present petitioner.
4. Considered the materials placed by learned Counsel for the parties including the statement of the witnesses and especially the neighbours of the present petitioner.
5. There is omnibus allegation to the effect that there used to be quarrel in the family for dowry. There is, however, no specific

allegation against the present petitioner.

6. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation against the petitioner, nature of evidence and completion of investigation in the meantime, it is directed that the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Contai in G.R. case No. 702 of 2022 within three weeks from today.
7. On his surrender and application for bail, the petitioner shall be released on bail on such terms and conditions as deemed just and proper by the learned ACJM in the facts and circumstances of the case.
8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The application being **CRM (A) 2164 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

