

09.06.2023

Item no. 24

Ct.29

(Suvendu)

C.R.M. (A) No.2187 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.65 of 2023 dated 15.02.2023 under Sections 498A/304B/306/34 of the Indian Penal Code and 3/ 4 of the Dowry Prohibition Act.

And

In the matter of:- Tapan Ghosh @ Tapan Kumar Ghosh
..... Petitioner

Mr. Manas Kumar Das
Mr. Pritam Kumar Thakdar

.. for the petitioner

Mr. Saswata Gopal Mukherji, Ld. PP
Mr. Partha Pratim Das
Ms. Eshita Dutta

..for the State

1. Heard learned Counsel appearing for the parties.
2. The petitioner is the father-in-law of the deceased who is alleged to have died a suicidal death. Charge-sheet under Sections 498(A)/304B/306/34 IPC and 4/5 of the DP Act has been submitted. The husband of the deceased is stated to have been released on regular bail.
3. It is fairly submitted by the bar that in view of submissions of charge-sheet there is no need of custodial interrogation of the present petitioner. The statements of the witnesses also show that the allegation of torture and harassment on the deceased for fulfilment of demand of dowry in the hands of the present petitioner is quite omnibus in nature.

4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, question of parity and completion of investigation in the meantime, it is directed that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Kandi, District –Murshidabad, in connection with GR Case No. 228 of 2023 arising out of Police Station Case No. 65 of 2023 within 15 days from today. On appearance and application for bail, the petitioner shall be released on bail by the learned Additional Chief Judicial Magistrate, Kandi, District – Murshidabad on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **C.R.M. (A) 2187 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

