

15.06.2023

Sl. 114

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 2241 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Pandabeswar** Police Station Case No. **15/23** dated **22.02.2023** under Sections **498A/302/406/120B** of the Indian Penal Code and Sections **3 & 4** of D.P. Act (G.R. Case No. 369/23).

And

In the matter of: **Bijay Pal & Ors.**

....petitioners.

Mr. Tirupati Mukherjee

...for the petitioners.

Mr. Saswata Gopal Mukherji, PP

Mr. Partha Pratim Das

Ms. Eshita Dutta

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioners are stated to be members of the family of the in laws of the deceased. charge-sheet is stated to have been filed under Section 306 IPC along with other allied offences though FIR was lodged under Section 302 IPC.
3. Submission of charge-sheet under Section 306 IPC pre-supposes that the deceased died a suicidal death and there is also no requirement of custodial interrogation. The husband of the deceased is stated to have been released on regular bail in the meantime.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners and completion of investigation, it is directed that each of the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Durgapur within 15 days from today in connection with G.R. case No. 369 of 2023 arising out of Pandabeswar P.S. case No. 15 of 2023 dated 22.02.2023. On their appearance and application for bail each of the

petitioners shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

5. The learned Additional Chief Judicial Magistrate is directed to act on the server copy of this order.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 2241 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

