

06.07.2022
tkm/ct 28
sl no. 16

C.R.M. (A) 2594 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kandi P.S case no. 254 of 2023 dated 6.5.2023 under sections 306/34 IPC
And

Allowed

In Re : Priyanka Barik @ Priyanka Barik Das & Ors.
..... petitioners

Ms. S Chakraborty
..... for the petitioners

Mr. Binay Panda
Mr. S Bhakat
..... for the State

Petitioners submit that the victim housewife had subjected petitioner no. 1-wife to torture. Subsequently, he committed suicide. Ingredients of offence under section 306 IPC are not disclosed.

Learned lawyer for the State opposes the prayer for anticipatory bail. He submits petitioners had ill-treated the victim. Out of agony she committed suicide.

We have considered materials on record. There was matrimonial dispute between petitioner no. 1 and the victim husband. Subsequently he committed suicide. He did not leave behind any suicide note implicating the petitioners

Keeping in mind the aforesaid facts, we are of the opinion custodial interrogation of the petitioners are not necessary and they may be granted anticipatory bail.

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.

Petitioners shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) 2594 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)