

20.07.2023

SL. 38

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 2605 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Chandipur** P.S. Case No. **340 of 2022** dated **21.09.2022** under Sections **498A/304B/34** of the IPC and Sections **3/4** of the D.P. Act and Sections **9/10** of the Prohibition of Child Marriage Act corresponding to G.R. Case No. **2805 of 2022** pending before the learned CJM, Purba Medinipur.

And

In the matter of: **Purna Chandra Maity & Anr.**

....petitioners.

Mr. Amal Krishna Samanta

...for the petitioners.

Mr. Imran Ali

Ms. Debjani Sahu

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioners are stated to be the uncle-in-law and aunt-in-law respectively of the deceased. They are stated to be residing in separate place in the same village. There is omnibus allegation against all the family members as found from the statement of the witnesses recorded under Sections 161 Cr.P.C. There is, however, no allegation of specific overt act against the present petitioners as fairly submitted at the Bar. Charge-sheet is stated to have been filed in the meantime.
3. Regard being had to facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence and completion of investigation, it is directed that each of the petitioner shall surrender before the learned Chief Judicial Magistrate, Purba Medinipur within 15 days from today in G.R. Case No. 2805 of 2022 arising out of aforesaid P.S. case. On their appearance and application for bail each of the petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

4. The learned CJM is directed to act upon the server copy of this order, if required.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2605 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

