

20.07.2023
(D/L 54)
Ct. No.29
Allowed
(SKB)

CRM (A) 2625 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Contai P.S. Case No.112 of 2023 dated 16.03.2023 under Sections 498A/304B/323/506/34 of the Indian Penal Code.

In the matter of : Swadesh Gayen and another
... Petitioners

Mr. Biswajit Manna
... for the petitioners

Mr. Saryati Datta
... for the State

1. Heard the learned Counsel for the parties.
2. The petitioner no.1 and petitioner no.2 are the father-in-law and the mother-in-law respectively of the deceased who is stated to have committed suicide. Though there is found to be allegation of attempt to murder of the deceased in the written complaint lodged by the mother, there is no such allegation in the statements of the witnesses as recorded under Section 161 Cr.P.C. According to our view, the allegations against the petitioners are even less than omnibus.
3. Regard being had to such 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 ACJM, Kontai, Purba Medinipur in the aforesaid P.S. case within 15 days from today. On their surrender and application for bail, they shall be released on bail by the aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The application being CRM(A) 2625 of 2023 is disposed of.
6. The learned court below is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)