

07.08.2023
(D/L 51)
Ct. No.29
Allowed
(SKB)

CRM (A) 2805 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Debra P.S. Case No.128 of 2023 dated 02.03.2023 under Sections 498A/302/34 of the Indian Penal Code Section 4 D.P. Act.

In the matter of : Sk. Taher Ali and others

... petitioners

Sk. Siddique Rahaman,
Mr. Ramashish Mukherjee

... for the petitioners

Mr. Saswata Gopal Mukerji, ld. PP
Mr. Aniket Mitra,
Ms. Jonaki Saha

... for the State

1. Heard the learned Counsel for the parties.
2. Considered the materials placed by them including the statement of the married daughter of the deceased recorded under Section 164 Cr.P.C.
3. The married daughter of the deceased along with her husband had came to the house of the deceased at the relevant time. Altercation started between the deceased and her husband and her husband rebuked her and, thereafter, the deceased is stated to have committed suicide (daytime). So far as the present petitioners are concerned, there is no allegation against them so far as suicide of the deceased is concerned. The occurrence happened after about 25 years of marriage of the deceased.

4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail by the Arresting Officer in the event of their arrest in the aforesaid P.S. case 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. Within 21 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
7. The application being CRM(A) 2805 of 2023 is disposed of.
8. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)