

10.08.2023
ML. 183
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2968 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Kotwali** Police Station Case No. **148 of 2023** dated **19.02.2023** under Sections **498A/302** of the IPC.

And

In the matter of: **Paritosh Majhi**

....petitioner.

Mr. Sumanta Das

...for the petitioner.

Mr. S. G. Mukherji, PP

Mr. Partha Pratim Das

Ms. Eshita Dutta

...for the State.

1. Heard learned Counsel for both the parties.
2. The present petitioner is the husband of the deceased. From the statement of the witnesses recorded under Section 161 Cr.P.C. it is found that the wife of the present petitioner committed suicide after 25 years of her marriage. The postmortem report is corroborative of the factum of suicide by the deceased.
3. From the materials on record, we do not find any immediate cause as to why the deceased committed suicide though there is omnibus allegation to the effect that there was continuous physical and mental torture on the deceased at the instance of the present petitioner. This question being pure question of facts are to be best left to the wisdom of the learned Trial Court.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his 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 including the conditions that:

- i) The petitioner is directed to appear before the I.O. once in a week on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.

5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
6. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 2968 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

