

10.08.2023
ML. 217
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3011 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Namkhana** P.S. Case No. **41 of 2022** dated **26.02.2022** under Sections **498A/306** of the IPC pending before the learned ACJM, Kakdwip, South 24 Parganas.

And

In the matter of: **Sk. Safi**

....petitioner.

Mr. Partha Sarathi Mondal

...for the petitioner.

Mr. Debabrata Chatterjee

Mr. Santanu Chatterjee

...for the State.

1. Heard learned Counsel for both the parties.
2. The present petitioner is the husband of the deceased who admittedly has died a suicidal death by resorting to burn herself. From the statement of the witnesses recorded under Sections 161 Cr.P.C. it is found that there is omnibus allegation regarding demand of dowry, etc. against the husband and there is also hearsay evidence about physical and mental torture.
3. Regard being had to facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and completion of investigation, it is directed that the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Kakdwip, South 24 Parganas within 15 days from today in the G.R. case arising out of aforesaid P.S. case. On his appearance and application for bail 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 ACJM 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) 3011 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

