

21.08.2023
(M/L 237)
Ct. No.29
Allowed
(SKB)

CRM (A) 3033 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ranibandh P.S. Case No.96 of 2023 dated 14.06.2023 under Sections 306/34 of the Indian Penal Code.

In the matter of : Sk. Amim @ Totan and others
... petitioners

Mr. Soumik Ganguli,
Ms. Chandana Chakraborty
... for the petitioners

Ms. Faria Hossain,
Mr. Anand Keshri
... for the State

Mr. Samiran Mandal,
Mr. Abhinaba Dan
... for the defacto complainant

1. Heard the learned Counsel for the parties.
2. Petitioner nos.1 and 2 are the brother-in-law and sister of the petitioner no.3. Petitioner no.4 is the mother of the petitioner no.3. Petitioner no.3 was in love with the deceased who committed suicide. So far as the petitioner nos.1, 2 and 4 are concerned, there is allegation to the effect that they chastised the deceased with filthy language for his relationship with the petitioner no.3. There is allegation against the petitioner no.3 that she was in a steady relationship with the deceased for about six years and all on a sudden, she cut off the relationship.

3. From the allegation, as found from record, we do not find at least *prima facie* any material to attract Section 107 IPC.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation 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 including the conditions:
 - i) The petitioner no.1 is directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
 - ii) The petitioner nos.2, 3 and 4 being ladies are directed to appear before the IO for the purpose of investigation as and when required from sunrise to sunset.
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) 3033 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.)