

21.08.2023
ML. 255
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3055 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Kalna** P.S. Case No. **434 of 2023** dated **15.04.2023** under Sections **498A/302/34** of the IPC and Section **4** of D.P. Act corresponding to G.R. case No. **809 of 2023** pending before the learned ACJM, Kalna, Purba Bardhaman.

And

In the matter of: **Smt. Swapan Ghosh**

....petitioner.

Mr. Arnab Chatterjee
Mr. Mrinmoy Barat
Ms. Poulami Bose

...for the petitioner.

Mr. S. G. Mukherji, PP
Mr. Aniket Mitra
Ms. Jonaki Saha

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioner is mother-in-law of the deceased. Considered the materials placed before us including the statement of the son of the deceased and neighbors of the present petitioner recorded under Section 161 Cr.P.C. The statement of the son of the deceased is implicative of the husband of the deceased. So far as neighbors are concerned, main allegation against the husband of the deceased but there is allegation to the effect that the present petitioner was also torturing and harassing the deceased mentally and physically for fulfillment of additional demand of dowry. The investigation is stated to have been completed.
3. Regard being had to facts and submissions, factum of permanent residence of the petitioner, nature of allegation and completion of investigation, it is directed that the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Kalna, Purba Bardhaman within 15 days from today in the G.R. case No. 809 of 2023 arising out of aforesaid P.S. case. On her 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. It is further ordered that that the petitioner shall appear in the trial before the Trial Court on each date of substantive hearing subject to provision of Section 317 Cr.P.C.
5. The learned ACJM is directed to act upon the server copy of this order, if required.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3055 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

