

21.08.2023
(M/L 273)
Ct. No.29
Allowed
(SKB)

CRM (A) 3074 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Santipur P.S. Case No.708 of 2023 dated 06.07.2023 under Section 306 of the Indian Penal Code.

In the matter of : Sekh Nurislam @ Nurislam Sekh
... petitioner

Ms. Sananda Bhattacharyya
... for the petitioner

Mr. Binay Panda,
Mr. Subham Bhakat
... for the State

1. Heard the learned Counsel for the parties.
2. The deceased is stated to have committed suicide in the house of the present petitioner. There is no substantive allegation against the present petitioner except the statements of some of the witnesses recorded under Section 161 Cr.P.C. It is found that the deceased had a relationship with the daughter-in-law of the present petitioner outside his marriage. The materials on record do not satisfy ingredients of Section 107 IPC at least *prima facie*.
3. 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.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The application being CRM(A) 3074 of 2023 is disposed of.
7. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)