

22.08.2023
ML. 301
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3104 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bankura** Police Station Case No. **154** of **2023** dated **25.04.2023** under Sections **498A/306** IPC read with Sections **3/4** of the D. P. Act.

And

In the matter of: **Sisir Chatterjee**

....petitioner.

Mr. Ayan Bhattacharya
Mr. Kunal Ganguly

...for the petitioner.

Mr. Tanmoy Kr. Ghosh, Ld. SGA
Mr. Arindam Sen

...for the State.

1. Heard learned Counsel for the parties.
2. The petitioner is the husband of the deceased who admittedly has committed suicide.
3. Admittedly, there was matrimonial dispute, suit for divorce filed by the wife which was withdrawn on some grounds, the wife came to rejoin the matrimony. The statement of the daughter of the victim recorded under Section 164 Cr.P.C. shows that prior to the fateful incident, her father assaulted her mother.
4. It is found from the FIR lodged by the mother of the deceased that the petitioner had lost huge amount in the share market for which he used to pressurize the deceased to bring money from her home and there used to be dissension over the issue but there is no supportive evidence on record till date on this allegation of the informant. The sporadic assault by the husband on one occasion as stated by the daughter cannot be said to satisfy the ingredients of Section 107 IPC at least

prima facie.

5. Regard being had to the facts and submission, 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 in the event of his arrest by the Arresting Officer 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 fortnight on the day and time fixed by the I.O. for the purpose of investigation till submissions of F.F.;
6. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 3104 of 2023** is disposed of.
9. The Arresting Officer is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

