

CRM(A) 3137 of 2023

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk Police Station** Case No. **340 of 2023** dated **31.03.2023** under Sections **498A/306/34** of the Indian Penal Code.

- A n d -

In the matter of : Sk. Jahiruddin & Anr.

.... Petitioners.

Mr. Amal Krishna Samanta

... For the Petitioners.

Mr. Debabrata Chatterjee

Ms. Mausumi Sarkar

... for the State.

1. Heard learned counsel for the parties.
2. The petitioners are brothers-in-law of the deceased, who admittedly has committed suicide. There is allegation against the present petitioners to the effect that there was continuous demand for additional dowry by all the family members including the present petitioners. Though offence under Section 498A IPC is found against the petitioners, the ingredients of Section 107 IPC fall short to some extent at least prima facie.
3. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, completion of investigation, it is directed that the petitioners shall surrender before the learned CJM, Tamluk, Purba Medinipur in G.R. Case No. 964 of 2023

arising out of aforesaid P.S. case within 15 days from today. On his appearance and application for bail he shall be released on bail 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. The application being CRM(A) 3137 of 2023 is disposed of.
6. The learned CJM is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)