

25.08.2023
ML. 497
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3318 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Gangarampur** Police Station Case No. **320 of 2023** dated **13.07.2023** under Sections **498A/493/325/307/506/302/34** of the IPC.

And

In the matter of: **Madhu Sarkar & Anr.**

....petitioners.

Mr. Kaushik Choudhury
Ms. Busra Khatun

...for the petitioners.

Mr. Aniket Mitra
Ms. Jonaki Saha

...for the State.

1. Heard learned Counsel for both the parties.
2. Petitioner No. 1 is the brother-in-law of the deceased who admittedly had committed suicide, petitioner No. 2 is the lady with whom the husband of the deceased had been keeping relationship outside the marriage since eight years despite objection by the deceased. When the deceased took pressure of her husband's relationship with petitioner No. 2 for a long period, we do not find any immediate cause of the relationship being the cause of suicide.
3. 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 that:
 - i) Petitioner No. 1 (Madhu Sarkar) 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 submission of F.F.

- ii) Petitioner No. 2 (Namita Roy) is directed to appear before the I.O. for the purpose of investigation as and when required from sunrise to sunset till submission of F.F.

- 4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
- 5. Within 21 days from today each of the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
- 6. Accordingly, the prayer for the anticipatory bail is allowed.
- 7. The application being **CRM (A) 3318 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

