

28.08.2023
SL. ML-516
Court No. 29
A.B.
(Allowed)

C.R.M. (A) 3337 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Chatterjeehat** P.S. Case No. **170 of 2022** dated **11.09.2022** under Sections **498A/306/304B/34** of the IPC.

And

In the matter of: **Jatin Sharma**

....petitioner.

Mr. Soumya Basu Roy Chowdhury

...for the petitioner.

Mr. Debabrata Chatterjee

Ms. Mousumi Sarkar

...for the State.

1. Heard learned Counsel for both the parties.
2. Charge-sheet is stated to have been filed.
3. The victim being a bar dancer was residing in a mess arranged by the bar owner. There she committed suicide. From the statement of a fellow bar dancer recorded under Sections 161 and 164 of the Cr.P.C., it is found that there were dissension of the deceased with the present petitioner, who is her husband and the victim was forced to earn money.
4. We do not find any element of offence under Section 107 of the I.P.C. and any proximate relationship between the suicide of the deceased or any overt act of the petitioner.
5. Regard being had to facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and completion of investigation, it is directed that the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Howrah within 15 days from today in the G.R. case arising out of aforesaid P.S. case.
6. On his surrender 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.

7. The learned CJM is directed to act upon the server copy of this order, if required.
8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The application being **CRM (A) 3337 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

