

29.08.2023

SL. 30

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 3402 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Jagatballavpur** P.S. Case No. **219** dated **19.12.2020** under Sections **498A/302/34** of the IPC pending before the learned CJM, Howrah.

And

In the matter of: **Morich Mondal @ Morij Mandal & Anr.**

....petitioners.

Mr. Anindya Halder

...for the petitioners.

Mr. Ranabir roy Chowdhury

Mr. Sandip Chakraborty

...for the State.

1. Heard learned Counsel for both the parties.
2. The earlier bail application was dismissed as not pressed and there was no disposal on merit. The investigation was initiated for offence under Section 498A/302/34 IPC. It is fairly submitted at the Bar that so far as the present petitioners are concerned who are the brother-in-law and mother-in-law of the deceased, charge-sheet under Section 498A/34 IPC has been filed against them. As there is no further requirement of custodial interrogation, the petitioners should be entitled to anticipatory bail.
3. Regard being had to facts and submissions, factum of permanent residence of the petitioners, nature of allegation and completion of investigation, it is directed that each of the petitioner shall surrender before the learned Chief Judicial Magistrate, Howrah within 15 days from today in the G.R. case arising out of aforesaid P.S. case. On their appearance and application for bail each of 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.

4. The learned CJM is directed to act upon the server copy of this order, if required.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 3402 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

