

29.08.2023
SL. 61
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3438 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Bongaon** Police Station Case No. **758 of 2023** dated **30.07.2023** under Sections **498A/304B/302/406/34** of the IPC and Sections **3/4** of the D.P. Act.

And

In the matter of: **Piyali Banik & Anr.**

....petitioners.

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas

...for the petitioners.

Mr. S. G. Mukherji, PP
Mr. Aniket Mitra
Ms. Jonaki Saha

...for the State.

Mr. Arnab Chatterjee

...for the de facto complainant.

1. Heard learned Counsel for both the parties.
2. The vakalatnama filed by the informant be taken on record.
3. The husband and mother-in-law of the deceased are stated to be in custody. The present petitioners are married sister-in-law (of the deceased) and her husband.
4. It is fairly submitted at the Bar that so far as the present petitioners are concerned, the allegation of torture, etc. is at the fringe.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence 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) The petitioner No. 1 (Piyali Banik) 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.

- ii) The petitioner No. 2 (Uttam Banik) is directed to appear before the I.O. once in a week on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.

- 6. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
- 7. 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.
- 8. Accordingly, the prayer for the anticipatory bail is allowed.
- 9. The application being **CRM (A) 3438 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

