

31.08.2023

SL. 40

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 3566 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Chandipur** P.S. Case No. **340 of 2022** dated **21.09.2022** under Sections **498A/304B/34** of the IPC and Sections **3/4** of the D.P. Act and Sections **9/10** of the Prohibition of Child Marriage Act corresponding to G.R. Case No. **2805 of 2022** pending before the learned CJM, Tamluk, Purba Medinipur.

And

In the matter of: **Sabita Maity**

....petitioner.

Mr. Amal Krishna Samanta

...for the petitioner.

Mr. Debabrata Chatterjee

Mr. Santanu Chatterjee

Ms. Mousumi Sarkar

...for the State.

1. Heard learned Counsel for both the parties.
2. The present petitioner is stated to be the mother-in-law of the deceased.
3. Charge-sheet is stated to have been filed in the meantime.
4. From the postmortem report it is found that there is no definite opinion to the effect that the death of the deceased is homicidal in nature. There is, however, statement of the witnesses to the effect that the deceased was being tortured by her husband and other family members for fulfillment of additional demand of dowry. Such statements are, however, omnibus in nature.
5. Regard being had to facts and submissions, factum of permanent residence of the petitioner, nature of allegation and completion of investigation, it is directed that the petitioner shall surrender before the learned Chief Judicial Magistrate, Tamluk, Purba Medinipur within 15 days from today in G.R. Case No. 2805 of 2022 arising out of aforesaid P.S. case. On her appearance 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.

6. The learned CJM, Tamluk, Purba Medinipur is directed to act upon the server copy of this order, if required.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 3566 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

