

12.09.2023
ML. 13
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3620 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Suti** Police Station Case No. **139** of **2023** dated **23.03.2023** under Sections **498A/304B/306/34** IPC.

And

In the matter of: **Dipankar Biswas & Ors.**

....petitioners.

Mr. Sumanta Das

...for the petitioners.

Mr. S. S. Imam
Mr. S. Kundu

...for the State.

1. Heard learned Counsel for the parties.
2. The deceased committed suicide on 24.02.2021. The present FIR was filed on 23.03.2023 on being referred by the competent magistrate under Section 156(3) Cr.P.C.
3. From the materials on record as placed before us, it is found that at the time of commission of suicide by the deceased in a railway track, she was in the house of her parents. We find no proximate relationship between the abatement by the present petitioners, who are husband and members of the family of in-laws of the deceased and the commission of suicide by the deceased at least *prima facie*.
4. *Per contra*, it is also submitted by learned Counsel for the petitioners that, in fact, there was dispute between the father of the deceased and the deceased and for that the husband of the deceased had lodged a G.D. in the competent police station.
5. Regard being had to the facts and submission, 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 in the event of their arrest by the Arresting Officer in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances including the conditions that:

i) the petitioners are 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 Final Form.

6. Within 21 days from today, petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
7. Accordingly, the prayer for anticipatory bail is allowed.
8. The application being **CRM (A) 3620 of 2023** is disposed of.
9. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

