

19.09.2023
ML. 139
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3746 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Hirapur** P.S. Case No. **477 of 2022** dated **30.11.2022** under Sections **498A/304B/34** of the IPC read with Section **3/4** of the D.P. Act corresponding to G.R. Case No. **3864 of 2022** pending before the learned CJM, Asansol Paschim Bardhaman.

And

In the matter of: **Roshon Bibi @ Roshon Ara & Ors.**

....petitioners.

Mr. Md. Sarbir Ahmed
Mr. Tasnim Ahamed
Mr. Dhiman Banerejee
Mr. Suman Biswas
Mr. Gopal Chakraborty

...for the petitioners.

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

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioner No. 1 is the mother-in-law and the petitioner Nos. 2 to 5 are the sister-in-law and the petitioner No. 6 is the brother-in-law of the deceased housewife who admittedly has committed suicide by hanging.
3. From the materials as placed before this Court especially from the statements of the witnesses as recorded under Section 161 Cr.P.C., we find the involvement of the present petitioners in infliction of torture, both physical and mental upon the deceased housewife during her lifetime but in our considered view those allegations are at the fringe at least *prima facie*.
4. Charge-sheet is stated to have been submitted in the meantime and, thus, we find no justification for custodial interrogation of the present petitioners for the purpose of investigation.
5. 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 the petitioner shall

surrender before the learned Chief Judicial Magistrate, Asansol, Paschim Bardhaman within 15 days from today in the G.R. case No. 3864 of 2022 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.

6. The learned CJM, Asansol, Paschim Bardhaman 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) 3746 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

