

22.09.2023
M/L 267
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3875 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Beldanga P. S. Case No.416 of 2023 dated 01.06.2023 under Sections 498A/304B/302/34 of the Indian Penal Code read with Sections 3/4 Dowry Prohibition Act.

In the matter of : Rakibul Sk @ Rocky
@ Md. Rakibul Sk and others
... Petitioners

Mr. Anit Dey
... for the petitioners

Mr. Prasun Kr. Dutta, ld. APP
Mr. Santanu Deb Roy
... for the State

1. Heard learned counsel for the parties.
2. The present petitioners are husband and members of the family of the in-laws of the deceased who herself committed suicide after about 2½ years of her marriage. In the statements of the witnesses recorded under Section 161 Cr.P.C., there is allegation regarding torture etc. on the deceased by the petitioners, but such allegation is omnibus in nature.
3. We do not find any proximate relationship between the action of the petitioners and commission of suicide by the deceased at least *prima facie*.
4. Regard being had to such facts and submissions, 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 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:

- i) The petitioner nos.1, 2 and 4 are directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
 - ii) The petitioner no.3 being a lady is directed to appear before the IO for the purpose of investigation as and when required from sunrise to sunset.
 - iii) The petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
5. Accordingly, the prayer for the anticipatory bail is allowed.
 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. The applications being CRM(A) 3875 of 2023 is disposed of.
 8. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)