

22.09.2023
M/L 279
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3887 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Mahisadal P. S. Case No.16 of 2022 dated 28.01.2022 under Sections 498A/307/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act (G.R. No.131 of 2022).

In the matter of : Soumen Dey

... Petitioner

Mr. Kamal Kumar Mondal

... for the petitioner

Mr. Saswata Gopal Mukerji, Id. PP
Mr. Aniket Mitra,
Ms. Jonaki Saha

... for the State

1. Heard learned counsel for the parties.
2. The victim wife is stated to have committed suicide suspecting illicit relationship of her husband with another lady. Such fact comes out from the statements of the witnesses also. The petitioner is husband of the deceased. We do not find any sufficient elements to satisfy the ingredients of Section 107 IPC from the materials on record.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the G.R.

No.131 of 2022 arising out of the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The applications being CRM(A) 3887 of 2023 is disposed of.
7. 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.)