

25.09.2023

SL. 45

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 3945 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dubrajpur** Police Station Case No. **142** of **2023** dated **13.07.2023** under Sections **498A/304B/34** IPC with Sections **3/4** of the D.P. Act (corresponding to G.R. Case No. 295 of 2023).

And

In the matter of: **Sk. Istak @ Sk. Istak Ali**

....petitioner.

Md. Ashraf Ali

Mr. Indrajit Chatterjee

...for the petitioner.

Mr. Saswata Gopal Mukherji, Ld. PP

Mr. Partha Pratim Das

Ms. Eshita Dutta

...for the State.

1. Heard learned Counsel for the parties.
2. The present petitioner is the brother-in-law (husband's sister's husband) of the deceased.
3. Admittedly, the victim had a suicidal death. From the statements of the witnesses as recorded under Section 161 Cr.P.C., we find that there are allegation of torture as against the present petitioner and other co-accused persons for additional demand of dowry but in our considered view, those are at the fringe.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that the petitioner shall be released on bail in the event of his 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 of the case including the condition that:

- i) The petitioner is 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.
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. Accordingly, the prayer for anticipatory bail is allowed.
 7. The application being **CRM (A) 3945 of 2023** is disposed of.
 8. 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.)

