

03.10.2023
D/L 30
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3961 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Santipur P. S. Case No.932 of 2023 dated 22.08.2023 under Sections 306/34 of the Indian Penal Code.

In the matter of : Rakhi Bepari
@ Rakhi Pramanick and another
... Petitioners

Mr. Sibaji Kumar Das,
Ms. Rupsha Sreemani
... for the petitioners

Mr. S. S. Imam,
Mr. R. Jana
... for the State

1. Heard learned counsel for the parties.
2. The present petitioner no.1 is an unmarried girl and petitioner no.2 is the maternal uncle of the petitioner no.1. The deceased, who was a widower, is alleged to have committed suicide. It is alleged that the petitioner no.2 abused the deceased in filthy language and threatened him not to keep relationship with the petitioner no.1.
3. Learned counsel for the petitioners, on the other hand, submits that the petitioner no.2 being a widower, wanted to marry the girl who is about 20 years old and she refused to keep relationship. The deceased himself

insisted her for keeping the relationship for which her maternal uncle had to intervene.

4. We do not find any proximate relationship between the action of the petitioners and the commission of suicide by the deceased.
5. Learned counsel for the State had prayed for adjournment on the ground that post-mortem report has not yet been received.
6. The case having been initiated under Section 306/34 IPC and commission of suicide by the deceased being an admitted fact, we do not find any justification for adjournment for obtaining the post-mortem report.
7. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence 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.
8. Accordingly, the prayer for the anticipatory bail is allowed.
9. 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.

10. The applications being CRM(A) 3961 of 2023 is disposed of.

11. 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.)