

03.10.2023
SL. 41
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3972 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Gangnapur** Police Station Case No. **227 of 2023** dated **21.08.2023** under Sections **498A/306/34** of the IPC.

And

In the matter of: **Ayjel Gain @ Aijel & Ors.**

....petitioners.

Mr. Sumanta Das

...for the petitioners.

Mr. Abhra Mukherjee

Mr. Dipankar Mahata

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioners before us are the parents-in-law, grand mother-in-law and aunt-in-law of the deceased. Admittedly, the death of the deceased was suicidal in nature on account of consumption of poison.
3. On perusal of the statements of the witnesses as recorded under Section 161 Cr.P.C., we find that as against the present petitioners there are allegations of torture both physical and mental but in our considered view those are omnibus in nature.
4. From the materials as collected so far and as available in the C.D., we do not find any proximate relationship of the death of the deceased and the role of the present petitioners in the alleged crime.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of offence 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.

6. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
7. Within 21 days from today each of the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
8. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being CRM (A) 3972 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

