

04.10.2023

SL. 34

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 4029 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nabagram** Police Station Case No. **55** of **2023** dated **23.02.2023** under Sections **498A/302/304B/34** IPC (corresponding to G.R. Case No. 552 of 2023).

And

In the matter of: **Sakhina Bibi @ Sokhina Bibi & Anr.**

....petitioners.

Mr. Tapodip Gupta

Mr. Suman Bhanja

...for the petitioners.

Mr. Saswata Gopal Mukherji, Ld. PP

Mr. Aniket Mitra

Ms. Jonaki Saha

... for the State.

1. Heard learned Counsel for the parties.
2. The present petitioners are the parents-in-law of the deceased/wife who had admittedly committed suicide.
3. From the materials as available in the case diary, we find that there are statements of the witnesses as recorded under Section 161 Cr.P.C. that the deceased/wife during her lifetime was tortured both physically and mentally by the present petitioners on account of additional demand of dowry.
4. However, *prima facie*, we find no proximate relationship between the alleged action of the present petitioners and the suicidal death of the deceased.
5. Charge-sheet is stated to have been submitted and, therefore, further custodial interrogation of the present petitioners are not necessary.
6. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation,

nature of offence and completion of investigation, it is directed that each of the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad, in G.R. Case No. 552 of 2023 arising out of the aforesaid P.S. case within 15 days from today. On their appearance and application for bail, they shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

7. Accordingly, the prayer for anticipatory bail is allowed.
8. The application being **CRM (A) 4029 of 2023** is disposed of.
9. Learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad, is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

