

11.10.2023
M/L 27
Ct. No.29
(Allowed)
(SKB)

CRM (A) 4116 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Jagaddal P. S. Case No.358 of 2023 dated 29.08.2023 under Sections 498A/306/34 of the Indian Penal Code (G.R. Case No.7229 of 2023).

In the matter of : Alpana Sikdar and another
... Petitioners

Mr. Rajdeep Mazumder,
Mr. Mayukh Mukherjee,
Mr. Prasanta Kr. Saha,
Mr. Abhijit Singh,
Mr. Sarthak Mondal

... for the petitioners

Md. Sabir Ahmed,
Mr. Apan Saha,
Mr. Bubai Sardar

... for the defacto complainant

Mr. Avishek Sinha

... for the State

1. Heard learned advocates for the parties.
2. The present petitioners are the parents-in-law of the deceased lady who had committed suicide after 7 years of her marriage. From the statements of witnesses as recorded under Section 161 Cr.P.C., we find that immediately prior to commission of her suicide, she was ill on account of cold, cough and fever. It was alleged that she was not taken either to a hospital or to a doctor for treatment. However, in the statements of the witnesses as recorded so far, we do not find any

proximate relationship between the suicidal death of the victim and the alleged action of the present petitioners. We have also noticed the absence of any material under Section 107 IPC in the case diary against the petitioners at least, *prima facie*.

3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation 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 G.R. Case No.7229 of 2023 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 petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The applications being CRM(A) 4116 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.)