

20.11.2023

SL. 17

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 4290 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Itahar** Police Station Case No. **157** of **2023** dated **05.05.2023** under Sections **498A/302/304B/301/34** IPC (corresponding to G.R. Case No. 935 of 2023, pending before the Learned CJM, Raiganj, Uttar Dinajpur).

And

In the matter of: **Kanku Sk @ Kanfu Sk @ Kanku Sekh & Anr.**
....petitioners.

Mr. Kaushik Chaudhury
Ms. Busra Khatoon

...for the petitioners.

Mr. Debasish Roy, Ld. PP
Mr. Aniket Mitra
Ms. Jonaki Saha

... for the State.

1. Heard learned Counsel for the parties.
2. From the materials as placed before us, we find from the post mortem report of the victim that according to the autopsy surgeon, the cause of her death is due to the effect of pressure over her neck by ligature and the said autopsy surgeon has also found both ends of the ligature mark are high up and oblique towards the gap.
3. Admittedly, there are some incriminating materials as against the present petitioners who are the parents-in-law of the victim lady to substantiate that during the lifetime of the said lady she was subjected to torture both physical and mental at the instance of the present petitioners. 3
4. Investigation is stated to have been completed in the meantime.
5. Regard being had to such facts and submissions, factum of

permanent residence of the petitioners, nature of allegation, nature of evidence and completion of investigation, it is directed that each of the petitioner shall surrender before the learned Chief Judicial Magistrate, Raiganj, Uttar Dinajpur, in G.R. Case No. 935 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.

6. Accordingly, the prayer for anticipatory bail is allowed.
7. The application being **CRM (A) 4290 of 2023** is disposed of.
8. Learned Chief Judicial Magistrate, Raiganj, Uttar Dinajpur, is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

