

20.11.2023
D/L 29
Ct. No.29
(Allowed)
(SKB)

CRM (A) 4323 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Shaktipur P. S. Case No.169 of 2023 dated 27.07.2023 under Sections 498A/302/34 of the Indian Penal (G.R. No.3429 of 2023).

In the matter of : Prankrishna Mondal and others
... Petitioners

Mr. Robiul Islam,
Mr. Raju Mondal,
Mr. Masooq Rahman
... for the petitioners

Mr. Debasish Roy, Id. PP
Mr. Aniket Mitra,
Ms. Jonaki Saha
... for the State

Mr. Joy chakraborty,
Ms. Ipsita Ghosh
... for the defacto complainant

1. Heard learned advocates for the parties.
2. The present petitioner no.1 is the husband of the deceased lady while the petitioner nos.2 and 3 are the brother-in-law and wife of the brother-in-law of the deceased respectively. From the materials as placed before us, we find investigation has been completed and charge-sheet has been submitted under Section 498A/306/34 IPC read with Section 4 of the D.P. Act.
3. In the CD though we find there are some materials to substantiate that the present petitioners used to inflict torture upon the deceased lady during her lifetime at her matrimonial home but those are found to be prima facie

omnibus in nature. Since the investigation is complete, there is no necessity of custodial interrogation of the petitioners.

4. 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 CJM, Berhampore, Murshidabad in the G.R. No.3429 of 2023 arising out of the aforesaid P.S. case within 15 days from today. On their surrender and application for bail, they shall be released on bail by the aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being CRM(A) 4323 of 2023 is disposed of.
7. The learned court below is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)