

05.12.2023
(A. 31-32)

Court No. 29

S. Banerjee

C.R.M. (A) 4458 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Durgapur** Police Station Case No. **172 of 2023** dated **19.03.2023** under Sections **498A/302/406/120B/34** of the IPC.

And

In the matter of: **Varsha Mondal & Anr.**

....petitioners

C.R.M. (A) 4557 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Durgapur** Police Station Case No. **172 of 2023** dated **19.03.2023** under Sections **498A/302/406/120B/34** of the IPC.

And

In the matter of: **Sudhir Nayak & Ors.**

....petitioners

Mr. Sekhar Bose Bose, Sr. Advocate
Mr. Rajdeep Mazumdar
Mr. Mayukh Mukherjee
Mr. Pritam Roy
Ms. Shyanti Poddar

...for the petitioners

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

...for the State (in CRM(A) 4458 of 2023)

Mr. Partha Pratim Das
Ms. Eshita Dutta

...for the State (in CRM(A) 4557 of 2023)

1. Heard learned Counsel for both the parties.
2. CRM(A) 4557 of 2023 and CRM(A) 4458 of 2023 are taken up together since both the aforesaid two cases have been filed arising out of self-same police station case.
3. In CRM(A) 4458 of 2023 the petitioner no. 1, Varsha Mondal is the sister of the deceased Amit Kumar Mondal, who has allegedly committed murder of his wife and his two children and thereafter allegedly committed suicide and the petitioner

- no. 2 is the husband of the petitioner no. 1, Varsha Mondal.
4. In CRM(A) 4557 of 2023 the 12 petitioners are the distant relatives of the aforesaid deceased Amit Kumar Mondal.
 5. Both the aforesaid two cases are taken up together for passing appropriate order by the consent of the parties.
 6. On perusal of the entire materials as placed before us and as pointed out by learned advocates for the petitioners that the present petitioners of the aforesaid two criminal misc. cases stand on the same footing with the co-accused who has been enlarged on bail by this court on 18.09.2023 in CRM(A) 3694 of 2023.
 7. On perusal of the entire materials of the CD we are also satisfied that the footing of the petitioners in the aforesaid two cases are similar to the co-accused enlarged on anticipatory bail in CRM(A) 3694 of 2023.
 8. Regard being had to such facts and submissions, grant of parity, factum of permanent residence of the petitioner, nature of allegation and completion of investigation, it is directed that the petitioners of the captioned mentioned two cases shall surrender before the learned ACJM, Durgapur, Paschim Bardhaman in the G. R. Case No. 558 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.
 9. Accordingly, the prayer for anticipatory bail is allowed.
 10. The application being **CRM(A) 4458 of 2023** and

CRM(A) of 4557 of 2023 are disposed of.

11. 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.)