

22.11.2023  
SL. 60  
Court No. 29  
Suvayan  
(Allowed)

**C.R.M. (A) 4493 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Kharagpur (Local)** Police Station Case No. **501 of 2023** dated **10.06.2023** under Sections **498A/323/326/307/34** of the IPC read with Section **4** of the D.P. Act adding Section **302** IPC.

And

In the matter of: **Sk. Saraphat Hosen @ Sk. Serafat Ali & Ors.**  
....petitioners.

Mr. Pravas Bhattacharyya

...for the petitioners.

Mr. Debasish Roy, PP

Mr. Aniket Mitra

Ms. Jonaki Saha

...for the State.

1. Heard learned Advocate for both the parties.
2. Though the case under Sections 448/325/308/302/34 IPC has been started against the present petitioners who are the parents-in-law of the deceased but from the dying declaration as recorded in course of treatment of the deceased it reveals that the deceased committed suicide by pouring kerosene oil on her person on account of quarrel between her and her husband. Such being the position, we are inclined to take a lenient approach in favour of the petitioners.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence 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 aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that:
  - i) The petitioner is directed to appear before the I.O.

as and when required on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.

4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. Within 21 days from today each of the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 4493 of 2023** is disposed of.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**

