

19.12.2023
(M/L 90)
Ct. No.29
(Allowed)
(SKB)

CRM (A) 4778 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Berhampore P.S. case No.213 of 2023 dated 21.02,2023 under Sections 498A/302/304B/34 of the Indian Penal Code (G.R. Case No.742 of 2023).

In the matter of : Mofijul Sk @ Santu Sk @ Mafijul Sk
... Petitioner

Mr. Arnab Chatterjee,
Mr. Anisur Rahaman
... for the petitioner

Mr. Aniket Mitra,
Ms. Jonaki Saha
... for the State

1. Heard learned counsel for the parties.
2. Suicidal death of the deceased is an admitted fact. The present petitioner is the husband of the deceased. From the statement of the witnesses recorded under Section 161 Cr.P.C. and especially, the statement of the brother of the deceased recorded under Section 164 Cr.P.C., it is found that there is omnibus allegation regarding torture and harassment to the deceased after her marriage at the hands of the petitioner and his family members.
3. It is better to leave the question relevant in the case to be decided by the learned trial court on the basis of the evidence.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of

allegation and nature of evidence, it is directed that the petitioner shall surrender before the learned CJM, Murshidabad, Berhampore in G.R. Case No.742 of 2023 arising out of the aforesaid P.S. Case, within 15 days from today. On his surrender and application for bail, he 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) 4778 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.)

(Ajay Kumar Gupta, J.)