

21.03.2024
Item No.69
Ct. No. 29
CHC

C.R.M.(DB) 2189 of 2023

In Re:- An application under Section 439(2) of the Code of Criminal Procedure, 1973.

And

In the matter of : Ratanmoni Das

..... petitioner

Ms. Afreen Begum,
Ms. Swastika Chowdhury
....for the petitioner

Mr. Jaydeep Biswas
....for the State

Mr. Muhammad Jawwad
....for the opposite party nos.2, 3 & 4

Petitioner seeks cancellation of the order dated February 6, 2023 passed by the jurisdictional Court granting anticipatory bail to the private opposite parties.

Learned advocate appearing for the petitioner submits that, a deed was sought to be executed at a given point of time.

Victim was in hospital. Moreover, the victim expired by unnatural causes.

State and the private opposite parties are represented.

Learned advocate appearing for the State submits that, the victim was admitted into the hospital for a particular period of time.

Learned advocate for the private opposite parties submits that, a civil suit was filed at the behest of the petitioner and

that, Civil Court passed an order in respect of the disputes involved.

He points out that there is a pending proceeding *inter alia* under Section 498A of the Indian Penal Code, 1860.

In the present police case, the jurisdictional Court proceeded to consider the requirement for grant of anticipatory bail and found that, there was no Post Mortem Report and that, the victim apparently died due to unnatural causes. Learned jurisdiction Court did not find any necessity of placing the private opposite parties in custody for interrogation.

We find no material irregularity in such decision being arrived at by the learned jurisdictional Court for interference by us.

In such circumstances, we find no merit in the present application.

C.R.M.(DB) 2189 of 2023 is dismissed without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)