

20.06.2024
SL No.09
Court No.29
TN
(Allowed)

CRM (A) 1894 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Nabadwip Police Station Case No.223 of 2024 dated 07.04.2024 under Sections 306/34 of the Indian Penal Code.

And

In the matter of : **Pradip Halder and another.**

- petitioners.

Mrs. Piyu Mondal

....for the petitioners.

Mr. Prasun Kumar Dutta,
Mrs. M. Roy

... for the State.

1. The petitioners are the married sister-in-law and her husband. The learned counsel for the petitioners submits that they are innocent and have been falsely implicated. The wife of the deceased has been granted bail by the learned trial court.
2. The learned counsel for the State submits that the allegations against the petitioners are of mental torture upon the deceased.
3. The post mortem report shows that the death is ante mortem in nature.
4. Considering the materials available in the case diary and the involvement of the petitioners in the commission of the alleged offence and the fact that the wife of the deceased has been granted regular bail, we are of the view that custodial interrogation of the petitioners is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Pradip Halder and Sulekha Halder** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. It is further directed that the petitioner no. 1 shall meet the Investigating Officer of this case once in a week or as and when required till submission of the final report and shall not leave the jurisdiction of the police station Chapra, District-Nadia where they are presently residing without the leave of the learned Additional Chief Judicial Magistrate, Krishnagar, Nadia. The petitioner no. 2 shall cooperate with the investigation. The petitioners shall appear before the learned Additional Chief Judicial Magistrate in connection with Nabadwip Police Station Case No. 223 of 2024 and pray for regular bail within two weeks from date.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)