

24.06.2024
SL No.39
Court No.29
TN
(Allowed)

CRM (A) 1961 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Hanskhali Police Station Case No.290 of 2024 dated 14.04.2024 under Sections 306 & 34 of the Indian Penal Code.

And

In the matter of : **Riya Mondal and another.**

- petitioners.

Mr. Sumanta Das

....for the petitioners.

Mr. Avishek Sinha,
Ms. Debadrita Mondal

... for the State.

1. The petitioner no.1 is the wife and the petitioner no.2 is the mother-in-law of the deceased. The learned counsel for the petitioners submits that the husband of the petitioner no.1 committed suicide. However, they have been falsely implicated.
2. The learned Counsel for the State in opposing the prayer has referred to the statement of the neighbours and the complainant recorded under Section 161 of the Code of Criminal Procedure to argue that they have abetted the offence of suicide.
3. The petitioner no.1 and the deceased were married for almost eight years. The post mortem report apparently shows that the death is ante mortem hanging and suicidal in nature.
4. Considering the materials available in the case diary, the nature and extent of involvement of the present petitioners in

the commission of the alleged offence, 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, **Riya Mondal and Ashoka Biswas @@Alooka** 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 present petitioners shall cooperate with the investigation till the submission of final report. The petitioners shall appear before the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia in connection with G.R. Case No. 1512 of 2024 within two weeks from date and pray for regular bail. The petitioners shall attend each and every date of hearing.
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.)