

24.06.2024
SL No.40
Court No.29
TN
(Allowed)

CRM (A) 1962 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Tamluk Police Station Case No.287 of 2024 dated 29.03.2024 under Sections 498A/406/302/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In the matter of : **Dulal Kundu and another.**

- petitioners.

Mr. Navanil De,
Mr. Subhrajit Dey

....for the petitioners.

Ms. Sreyashee Biswas,
Mr. Dipankar Mahata

... for the State.

1. The petitioners are the parents-in-laws of the victim.
2. The learned Counsel for the petitioners submits that the petitioners are innocent. It is submitted that the unfortunate incident occurred after thirteen years of marriage.
3. The learned Counsel for the State in opposing the prayer has referred to the statement of the neighbour and relative to demonstrate that there are incriminating materials against the petitioners. However, it is conceded that the husband was granted bail by the coordinate Bench on 30th May, 2024 in CRM (DB) 1731 of 2024.
4. Considering the materials available in the case diary and the medical opinion to the effect that the unfortunate incident was prima facie suicidal in nature and the allegation against the present petitioners is omnibus in nature, 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, **Dulal Kundu and Radharani Kundu** 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 petitioner no.1 shall meet the Investigating Officer once in a week or as and when required till the submission of the final report and shall not leave the jurisdiction of the District of Purba Midnapore without the permission of the learned Chief Judicial Magistrate, Purba Midnapore and the petitioner no.2 shall cooperate with the investigation till the submission of final report. The petitioners shall appear before the learned Chief Judicial Magistrate, Purba Midnapore within two weeks from date and pray for regular bail.
6. In default of fulfillment of any of the conditions, this order shall automatically stand recalled without any further reference to this court.
7. Accordingly, the application for anticipatory bail is disposed of.

8. 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.)