

04.07.2024
SL No.51
Court No.29
TN
(Allowed)

CRM (A) 2130 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Contai Police Station Case No.194 of 2024 dated 21.03.2024 under Sections 498A/304B/302/34 IPC.

And

In the matter of : **Sasanka Sekhar Maity.**

- petitioner.

Mr. Sk. Sahjahan Ali

.... for the petitioner.

Mr. Joydeep Biswas,
Ms. Baisakhi Chatterjee

... for the State.

1. The petitioner is the father-in-law of the victim. It is submitted that the case was initially registered under Sections 498A, 304B, 302 and 34 of the Indian Penal Code, 1860. However, at the time of submission of the final report culminating in charge sheet, Sections 304B and 302 have been deleted and replaced by Section 306.
2. Learned counsel for the State submits that the victim died within one year two months of marriage and there are incriminating materials suggesting torture by the in-laws of the victim.
3. Considering the materials available in the case diary, the nature and complicity of the petitioner in the commission of the alleged offence and the fact that the mother-in-law and the husband have been recently enlarged on bail and charge sheet has already been filed, we are of the view that custodial interrogation of the petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sasanka Sekhar Maity** shall be released on bail upon furnishing a bond of Rs.10,000/-, 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.
5. It is further directed that the present accused petitioner shall appear before the learned Additional Chief Judicial Magistrate at Contai, Purba Medinipur within two weeks from date and pray for regular bail.
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.)