

15.07.2024
Court No.29
Item No. 17

Allowed

sg

CRM (A) 2366 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Code of Bharatiya Nagrik Suraksha Sanhita, in connection with Ramnagar Police Station Case No. 134 of 2024 dated 20.03.2024 under Sections 498A/302/34 of the Indian Penal Code and sections 3/4 of the D.P. Act, pending before the learned Additional Chief Judicial Magistrate at Contai, Purba Medinipur.

And

In Re: **Haradeb Mal @ Harihar Mal & Ors.**

Petitioners

Mr. Aniket Mitra
Sk. Sahjahan Ali

For the Petitioners

Mr. Soumik Gnaguly
Mr. Aritra Bhattacharya

For the State

1. The learned Counsel for the petitioners submits that the petitioner no.1 is the brother-in-law, petitioner no.2 is the father-in-law and the petitioner no.3 is the married sister-in-law of the present petitioner. It is submitted that the petitioners are innocent and have been falsely implicated in the instant case.
2. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has produced the case diary, post mortem report and the statement of the neighbours recorded under Section 161 of the Code of Criminal Procedure.
3. We have the considered the case diary and the post mortem report. The postmortem report shows that the cause of death is due to hanging. No external injury was found. It appears from the statement of the neighbours that the main allegation is against the husband of the deceased, who is presently enlarged on bail.

4. Considering the materials available in the case diary, statement of the neighbour, post-mortem report and the involvement of the present petitioners in the commission of alleged offence and also having regard to the fact that charge sheet has already been filed, we are of the view that the custodial interrogation of the petitioners is not necessary.
5. Accordingly, we direct that in the event of arrest the petitioners namely, **Haradeb Mal @ Harihar Mal, Prankrishna Mal and Madhumita Gayen @ Monimal Gayen**, 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 learned Additional Chief Judicial Magistrate at Contai, Purba Medinipur, and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and subject to further condition that the petitioners shall appear before the trial court on each and every date of hearing until further orders.
6. In the event the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without any further reference to this Court.
7. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
8. CRM (A) 2366 of 2024 is, thus, disposed of.
9. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)