

Court No. 29
(266041)

CRM (A) 2633 of 2024

05.08.2024
(A 39)
(S. Banerjee)

(Allowed)

In re: ^c An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Khardah Police Station Case No. 784 of 2023 dated 02.12.2023 under Sections 354/306/509/34 of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate at Barrackpore, North 24 Parganas.

And

In the matter of: **Chhaya Rani Dey @ Chaya Rani Dey & Anr.**
...petitioners

Mr. Moyukh Mukherjee
Mr. Abhijit Singh
Mr. Santu Das
Mr. Sarthat Mondal
Ms. Sarmistha Basak

... for the petitioners

Ms. Sonali Das
Ms. Debadrita Mondal

... for the State

1. Heard learned counsel for the parties.
2. The petitioner no. 1 is the mother-in-law and the petitioner no. 2 is the father-in-law of the complainant. Both of them are parents of the deceased victim, namely, Avijit Dey. Avijit was their younger son. Avijit committed suicide by hanging as revealed from the postmortem report. The complainant is the wife of the deceased. She lodged a complaint alleging that the deceased committed suicide by reason of the instigation and filthy language used against her by the present petitioners, including Bapun Chandra Dey. Bapun

Chandra Dey was initially taken into custody and thereafter is on interim bail.

3. Considering the nature and extent of involvement of the present petitioners in the commission of the alleged offence and that Bapun Chandra Dey is already on interim bail and charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners (Chhaya Rani Dey @ Chaya Rani Dey and Amar Krishna Dey @ Amar Chandra Dey) shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.
5. The petitioners shall appear before the jurisdictional magistrate within two weeks and attend the court on each and every date of trial.
6. Accordingly, the application for anticipatory bail is allowed.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this court.

(Uday Kumar, J.)

(Soumen Sen, J.)