

07.08.2024
Sl No.34
Court No.29
TN
(Allowed)

CRM (A) 2701 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bharatpur Police Station Case No. 79 of 2024 dated 21.03.2024 under Sections 498A/302/120B/34 of the Indian Penal Code.

And

In the matter of : **Joydeb Ghosh and another**

.... petitioners

Mr. Jisan Iqubal Hossain

....for the petitioners

Mr. Manas Kumar Das

... for the *de facto* complainant

Mr. Bitasok Banerjee,
Ms. Poulomi Bose

... for the State

1. Heard learned counsel for the parties.
2. The petitioner no.1 is the father-in-law and the petitioner no.2 is the mother-in-law of the deceased.
3. The learned counsel for the petitioners submits that the petitioners are in no way involved in the commission of the alleged offence.
4. The learned counsel for the State has produced the case diary and the statement of the son of the deceased.
5. Considering the materials available in the case diary and the statement of the son which clearly implicates the father for the commission of the murder of his mother and no overt act has been specifically alleged or attributed to the petitioners, we are inclined to grant anticipatory bail to the petitioners.

6. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Joydeb Ghosh and Mathura Rani Ghosh @ Mathura Ghosh** respectively 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, corresponding to Section 482(2) of the BNSS, 2023.
7. It is further directed that the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad within two weeks from date and pray for regular bail.
8. Accordingly, the application for anticipatory bail is disposed of.
9. 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.)