

19.08.2024
SL No.37
Court No.29
(b.das)
(Allowed)

CRM (A) 2844 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kulti Police Station Case No.271 of 2024 dated 15.06.2024 under Sections 498A/304B/120B of the Indian Penal Code.

And

In the matter of : **Jhunu Tiwari @ Tarakeshwar Tiwari**

- Petitioner.

Mr. Debapriya Samanta

....For the Petitioner.

Ms. Subhasree Patel

Ms. Srilekha Chatterjee

... For the State.

1. Heard the learned Counsel for the parties.
2. The petitioner is the uncle in law of the victim. It is submitted that he resides separately and is in no way connected with the alleged offence. It is further submitted that the mother of the victim has lodged a complaint against her own son and others and there is delay of two months in filing the complaint.
3. Learned counsel for the State produces the Case Diary.
4. It is submitted that the victim died within 7 years of marriage. However, the case diary show that the uncle in law has informed the death of the deceased to the complainant.
5. Considering the materials in the Case Diary and the complicity of the petitioner in the alleged offence and the post mortem report which shows that the cause of death is prima facie suicidal in nature, we are inclined to grant anticipatory bail to the petitioner.

6. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Jhunu Tiwari @ Tarakeshwar Tiwari**, 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 corresponding to Section 482(2) of the BNSS, 2023 and the petitioner shall meet the I.O. once in a fortnight till the submission of the final report.
7. It is further directed that the petitioner shall appear before the learned Chief Judicial Magistrate, Asansol in connection with G.R. Case No.1664 of 2024 within two weeks from date.
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.)