

29.08.2024

Court No.29

Item No. 05

Allowed

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CRM (A) 2985 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tehatta Police Station Case No. 588 of 2024 dated 09.08.2024 corresponding to SL No. 1668a of 2024 under Sections 85/80/103(1)/3(5) of the B.N.S, 2023.

And

In Re: **Kadu Das & Ors.**

Petitioners

Mr. Soumyajit Das Mahapatra
Mr. Abdul Aziz Mondal

For the Petitioners

Mr. Ranabir Roy Chowdhury
Ms. Mausumi Sarkar

For the State

1. Learned counsel for the petitioners submits that the petitioners are in-laws of the victim and they have been falsely implicated in the instant case.
2. Learned counsel for the State in opposing the prayer for anticipatory bail submits that the granddaughter of the de-facto complainant died within 5 years of marriage due to torture by the husband and family members of the husband and in this regard has referred to the statement of the de-facto complainant under Section 164 Cr.P.C and the neighbours.
3. Considering the materials available in case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and it reveals that the main allegation is against the husband of the deceased and also having regard to the post-mortem report which shows that the death was due to effect of ante mortem hanging, 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, namely, **Kadu Das, Sanjit Das, Sanjay Das, Sampa Das @ Sandhya Das, Saptami Das @ Sapatami Das and Rebati Das** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount each, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS, 2023. The **petitioner nos. 1, 2 and 3** shall meet the Investigating Officer once in a week till the submission of the final report and the **petitioner nos. 4, 5 and 6** shall cooperate with the investigation till the submission of the final report and on further condition that the petitioners shall appear before the learned **Additional Chief Judicial Magistrate, Tehatta, Nadia**, within two weeks from date in connection with **SL No. 1668 of 2024**. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
6. 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)

