

10.09.2024
AD-43
Court No.29
TN
(Allowed)

CRM (A) 3194 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Suti Police Station Case No. 326 of 2024 dated 14.05.2024 under Sections 306/120B of the IPC, 1860.

And

In the matter of: **Biswanath Roy and another**

.... petitioners

Ms. Benajir Hasna,
Mr. Aliul Islam

....for the petitioners

Mr. Binoy Kr. Panda,
Mr. Abhinaba Mukherjee

....for the State

1. Heard the learned counsel for the parties.
2. The petitioner no.1 is the father-in-law and the petitioner no.2 is the sister-in-law of the deceased. *Prima facie*, it appears that the deceased had married twice and there was a marital discord between the son of the complainant and his wife. It is alleged that the son was mentally tortured by his wife and other in-laws. Two of the accused persons have been granted bail by the trial court.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and having regard to the fact that 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, namely, **Biswanath Roy** and **Sathi Roy** respectively shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two registered sureties of like amount each, 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.
5. It is further directed that the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad within two weeks from date.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Prasenjit Biswas, J.)