

19 02.01.2024
(AD) Court No.29
(Allowed)

C.R.M. (A) 4223 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raghunathpur** P.S. Case No.**81 of 2023** dated **02/06/2023** under Sections **306/34** of the Indian Penal Code, corresponding to G.R. Case No.341 of 2023.

And

In the matter of: **Riya Majee**

....petitioner.

Mr. Arindam Sen
Mr. Sagnik Bhattacharya
Ms. Munmun Dalapati

...for the petitioner.

Mr. Arijit Ganguly
Mr. Avik Ghatak

...for the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023.

By such order, the petitioner was enlarged on interim anticipatory bail by the Coordinate Bench.

It is submitted at the bar that such order was passed without considering the materials in the case diary in view of the ensuing puja vacation.

We considered the materials in the case diary.

The victim left behind a suicide note where he alleges that the petitioner before us, who is his wife, is entered into an extra marital relationship.

The post-mortem report of the victim suggests that the victim committed suicide.

Considering the post-mortem report of the victim and the suicide note left behind by the victim as well as the statements recorded under Section 161 of the Code of Criminal Procedure,

we confirm the interim anticipatory bail granted to the petitioner on October 16, 2023.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, 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 and on condition that the petitioner will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4223 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)