

C.R.M. (A) 4348 of 2023

08.01.2024
ML-5
Court No.29
(AD)
(Partly
Allowed)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kandi** Police Station Case No.**290 of 2023** dated **18.05.2023** under Sections **498A/306/34** of the Indian Penal Code, 1860 [G.R. Case No.902 of 2023].

And

In the matter of: **Nirmal Mondal & Ors.**

....petitioners.

Mr. Manas Kumar Das

... for the petitioners.

Mr. Debasish Roy, Ld. PP

Mr. Imran Ali

Mr. Mirza Firoj Ahmed Begg

...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 Coordinate Bench granted interim anticipatory bail to the petitioners.

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

Thereafter, the application was adjourned on January 2, 2024 on the prayer of the petitioners.

We perused the materials in the case diary.

Apparently, the victim committed suicide.

The husband as noted above surrendered before the jurisdictional Court.

In such circumstances, **C.R.M. (A) 4348 of 2023** is dismissed as infructuous so far as the petitioner no.1, namely, Nirmal Mondal, is concerned.

Petitioner nos.2 to 6 are relatives of the victim.

The police complaint was lodged eighteen years after marriage.

The complicity of the petitioners, if any, in the abetment of the commission of suicide may be decided at the trial.

In such circumstances, we grant anticipatory bail to the petitioner nos.2 to 6.

Accordingly, we direct that in the event of arrest, the petitioner nos.2 to 6 shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two 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 and on further condition that the petitioner nos.2,3 and 6 will report before the Investigating Officer once a month till the conclusion of the investigation and petitioner nos.4 and 5 will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioner nos.2 to 6 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 nos.2 to 6 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner nos.2 to 6 is allowed.

C.R.M. (A) 4348 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)