

08.01.2024

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Ct. No. 29
S.D.

C.R.M.(A) 4634 of 2023

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raiganj** Police Station Case No. **770** of **2023** dated **21.07..2023** under Section 498A/304B/306/34 of the Indian Penal Code.

And

In Re : Mira Rajak @ Mira Singh & Anr.

..... petitioners

Mr. Kunal Ganguly

....for the petitioners

Mr. Tanmoy Kumar Ghosh, Ld. S.G.A.,

Ms. Sonali Bhar

...for the State

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

By such order dated October 16, 2023, the petitioners were enlarged on an interim anticipatory bail.

It is submitted at the bar that, the order granting interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

Learned advocate appearing for the petitioners submits that, the husband was granted bail by the Jurisdictional Court. The petitioner no. 2 is sister of the mother-in-law of the victim. She resides separately.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

The death occurred within one year of marriage. The victim apparently committed suicide. The post mortem report states that the death was due to the facts of hanging ante mortem in nature. There are statements of neighbours recorded under Section 161 of the Cr.P.C. implicating both the petitioners before us in torture and demand of dowry being meted out. The allegations are specific.

In such circumstances, we are unable to confirm the order dated October 16, 2023 or to grant anticipatory bail to the petitioners and the prayer of anticipatory bail is rejected.

The application being CRM (A) 4634 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)