

02.02.2024

Serial no. ML 734

Anticipatory bail

[Rejected]

2d

CRM (A) 5457 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Purulia (Town)** Police Station Case No. **166** of **2023** dated **24.10.2023** under Sections **498A/304B/34** of the Indian Penal Code, 1860 and Section **4** Dowry Prohibition Act.*

-And-

In the matter of : **Sharwan Agarwal & Anr.**
... ..**Petitioners**

Mr. Sekhar Kr. Basu, Sr. adv.
Mr. Pawan Kr. Gupta,
Ms. Soma Chakraborty,
Mr. Sougata Mitra,
Ms. Sofia Nesar, Advocates
... .. For the Petitioners

Mr. Partha Pratim Das,
Mr. Sanjoy Sarkar, Advocates
... ..For the State

Petitioners pray for anticipatory bail.

Petitioners before us are the parents-in-law of the victim.

Learned senior advocate appearing for the petitioners submits that the victim suffered from mental derangement. Such fact was suppressed at the time of marriage. Victim was being treated for such medical condition by the family of the petitioners. He refers to the suicide note left behind by the victim. He submits that the husband was taken into custody. He highlights the age of the petitioners.

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

Victim left behind a suicide note.

Postmortem report of the victim notes about 11 injuries being suffered by the victim. Police sought clarification from the postmortem doctor with regard to injuries appearing on the dead body of the victim twice. Postmortem doctor clarified in two replies. Specific injuries were inflicted over a period of time on the victim prior to victim expiring due to asphyxia.

Death occurred in the matrimonial home of the victim.

As noted above, the petitioners are the parents-in-law of the victim.

In such circumstances, we are unable to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is **rejected**.

CRM (A) 5457 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)