

D/L70
23.12.2024
Rohit
ct.no.28

C.R.M. (A) 4617 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Karimpur Police Station Case No. 162/24 dated 04.09.2024 under Sections 85/103/3(5) of the Bharatiya Nyaya Sanhita and 3/4 of the Dowry Prohibition Act.

And

In Re: **1. Chanarul Malithya @ Sanarul**

2. Angura Malithya @ Anguna Bibi Malithya

3. Serina Malithya @ Serina Bibi

...Petitioners

Mr. Arindam Jana
Mr. Asraf Mandol
Mr. Tanfir Mondal
Mr. Arhan Sengupta

...for the petitioners

Ms. S. Dutta
Ms. Sreemayi Roy

...for the State

1. Heard learned Advocates for the parties.
2. We have considered the materials on record.
Victim wife committed suicide at the matrimonial home. Petitioners are the in-laws of the victim lady and pray for anticipatory bail.
3. Learned Lawyer for the State opposes the prayer.
4. We have considered the materials on record including the statement of the minor son who alleges her mother was murdered. However, the

post mortem report shows death is due to hanging which is predominantly suicidal.

5. In view of the aforesaid dichotomy which improbabilises the allegation of homicide and the extent of involvement of the petitioner in the crime, we are inclined to grant anticipatory bail to the petitioners.
6. Accordingly, we direct that in the event of arrest, the petitioners viz., **1. Chanarul Malithya @ Sanarul, 2. Angura Malithya @ Anguna Bibi Malithya 3. Serina Malithya @ Serina Bibi** be released on bail upon furnishing a bond of Rs.10,000/- 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. Petitioners shall appear before the jurisdictional court and pray for regular bail within four weeks from date.
7. The application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)