

09.09.2020

Item no. 14

Ct.16

CHC

Allowed

C.R.M. No.6315 of 2020

C.R.A.N.1 of 2020

(Physical Hearing)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Murshidabad Police Station Case No. 216 of 2020 dated 21.06.2020 under Sections 498A and 304B of the Indian Penal Code.

And

In the matter of:-

Kalabati Chowdhury

... Petitioner

Mr. Sandip Bhattacharyya,
Mr. Probal Sarkar

.. for the petitioner

Mr. Saibal Bapuli, Ld. A.P.P.
Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan

..for the State

The petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing.

From the submissions made on behalf of the petitioner as well as the State it appears that principal accused is in custody since long. Petitioner is the mother-in-law.

We have perused the post mortem report which reveals “no external injury seen at the person after careful examination”.

Having regard to the material placed before us and in particular, we do not prima facie find any role of this petitioner for the cause of death of the victim. We are of the view that no custodial interrogation is necessary for this petitioner.

We, therefore, 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, one of whom must be local, to the satisfaction of the arresting officer and that petitioner shall cooperate with investigation.

The aforesaid conditions are in addition to the provisions of Section 438(2) of the Code of Criminal Procedure.

With these observations, CRM 6315 of 2020 and CRAN 1 of 2020 are disposed of.

Learned appropriate Trial Court as well as all concerned authorities shall act in terms of the copy of the order downloaded from the official website of this Court.

(Kausik Chanda, J.)

(Sahidullah Munshi, J.)

