

14-09-2020
Subrata/Subha
Item no.27

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No.6317 of 2020

Nasrin Bibi & Anr.

-vs-

The State of West Bengal

with

CRAN No.1 of 2020

(via video-conference)

In Re: An application for anticipatory bail under **Section 438 CrPC** apprehending arrest in connection with Deganga P.S. Case No.24 of 2020 dated January 15, 2020 under sections 498A/304B IPC and sections 3/4 Dowry Prohibition Act.

Mr. P. Chakraborty

Mr. C. Debnath

...for the petitioners

Mr. Ranabir Roy Chowdhury

Mr. Shiladitya Banerjee

... for the State

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within a month of resumption of normal functioning of the court. The petition is taken up through video-conference on the basis of such undertaking. CRAN No.1 of 2020 (Old No. CRAN No.4427 of 2020) is disposed of.

This anticipatory bail application is at the instance of the sister-in-law and father-in-law of the victim lady who died of hanging after four months of her marriage.

On perusal of the statement recorded under section 161 CrPC of an independent witness appearing at pages 11-12 of the case diary and the post-mortem report at page 101 of the case diary produced by the State, we do not rule out that the statement so recorded does not corroborate with the post-mortem report, and that the victim committed suicide because of the alleged torture. We are not inclined to grant anticipatory bail to the petitioners and hence the application under section 438 CrPC is rejected.

[Abhijit Gangopadhyay, J]

[Sahidullah Munshi, J]

