

14.09.2020

Court No. 16  
Item No. 30  
abhar/bdatta

**CRM 6344 of 2020**  
**With**  
**CRAN 1 of 2020**  
**(Via Video Conference)**

(antibail - allowed)

In Re: An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with Dinhata Women Police Station Case No. 39 of 2020 dated 06.06.2020 under Sections 498(A)/323/306/34 of the Indian Penal Code and read with Section 3/4 of the Dowry Prohibition Act.

**and**

In the matter of: **Samachun Nahar Bibi & Ors.**

..... Petitioners

**Mr. Sudip Guha**

.....for the Petitioners

**Mr. Aditi Shankar Chakraborti**

**Mr. Tapan Bhattacharya**

..... for the State

The learned advocate for the petitioners undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The application being CRAN 1 of 2020 is accordingly disposed of.

The petitioners before this Court are the mother, brother and the sister of the deceased.

The learned advocate for the petitioners submits that the petitioner no. 1's son committed suicide and the present case has been instituted by her daughter-in-law against the other family members and herself. The learned advocate further submits that the daughter-in-law was staying separately and in fact, a complaint has been lodged against the de facto complainant and the present case is a counter-blast of the case which has been initiated.

The learned advocate appearing for the State opposes the prayer for anticipatory bail and submits that there are sufficient materials against the petitioners.

We have taken into account the facts of the present case and considered the same in the perspective that the mother has lost her son and there has been no involvement from her side. Taking into account the materials so available, we are of the opinion that the custodial interrogation of the petitioners are not at all required in the facts and circumstances of the case. Accordingly, the prayer for anticipatory bail is allowed.

Therefore, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application being **CRM 6344 of 2020** is **allowed**.

**(Tirthankar Ghosh, J.)**

**(Harish Tandon, J.)**