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CRM No. 6459 of 2020

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CRAN 1 of 2020

(Via video conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Katwali Police Station Case No. 540 of 2020 dated 30.07.2020 registered for investigation into offences punishable under Sections 498A/306/34 of the Indian Penal Code.

And

In the matter of : Chabi Debnath @ Sabita Debnath & Anr.

... Petitioners

Mr. Uday Sankar Chattopadhyay

Mr. Santanu Maji

.. for the petitioners

Mr. S. S. Imam

Mr. Subrata Roy

..for the State

The petitioners undertake to affirm and stamp the petition as per the Rules within one month of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking. Accordingly the application being CRAN 1 of 2020 stands disposed of.

Learned counsel for the State has produced the report prepared by the investigating officer in terms of the order dated 14th September, 2020. The said report

was called for in order to test the veracity of the statement made by the petitioners that two minor children one aged about 7 years and the other aged about one year are now in the custody of the petitioners and there is no other to look after the said minors. The statement of the minor children recorded under Section 161 of the Code of Criminal Procedure was produced before us. It corroborates the statement made by the petitioners in the petition.

The husband of the victim is in custody. However, charge-sheet has not been filed.

Considering the nature of offence and the extent of involvement of the petitioners in the said offence and the materials available against the petitioners, we are inclined to allow the prayer for anticipatory bail.

Accordingly, in the event of arrest, the petitioners will be enlarged on bail upon furnishing security of Rs.10,000/- each, with two sureties each of like amount, one of whom must be local, to the satisfaction of the arresting officer subject to the condition that the petitioner No. 2 shall meet the investigating officer of the case once a week.

The petitioners will also abide by the conditions laid down in Section 438(2) of the Code.

CRM 6459 of 2020 is disposed of.

(Soumen Sen, J.)

(Saugata Bhattacharyya, J.)