

23.09.2020

BP/BR
Sl.40

CRM 6958 of 2020
With
CRAN 1 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Berhampore Police Station Case No. 567 of 2020 dated 17.06.2020 under Sections 498A/302/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, 1961.

In the matter of : Balika Bibi & Ors.....petitioners

Mr. Somnath Adhikari
..for the petitioners.

Mr. Madhusudan Sur
Mr. Aniket Mitra
..for the State.

Learned advocate for the petitioners submits that the present petitioners are the sister-in-law and father-in-law of the deceased. Learned advocate for the petitioners further submits that the deceased committed suicide after 11 years of marriage and the present petitioners have been falsely implicated in a case of murder.

Learned advocate for the State opposes the prayer for anticipatory bail and draws the attention of this court to the memorandum of evidence and also the post mortem report which has been submitted in connection with this case.

We have considered the post mortem report and the fact that the incident occurred after 11 years of marriage. Having taken the same into consideration, we are of the opinion that although a case may have been made out against the petitioners but the custodial detention of the petitioners are not required for the sake of investigation.

Accordingly, we allow the prayer for anticipatory bail.

In the event of arrest, the petitioners (Balika Bibi, Doly Bibi @ Dalika Bibi, Amed Ali @ Amed Ali Sk.) shall be released on bail upon furnishing bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of like amount each, to the satisfaction of the arresting officer of the case.

The aforesaid order shall be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail being C.R.M. 6958 of 2020 and C.R.A.N. 1 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Tirthankar Ghosh, J.)

