

25.09.2020

ssd
36 & 41

**CRM 7155 of 2020
CRAN 1 of 2020
with
CRM 7163 of 2020
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 Murarai P.S. Case No.25 of 2020 dated 12.02.2020 under Sections 498A/304B/302 of the Indian Penal Code read with Section 3 and 4 of the Dowry Prohibition Act.

And

In the matter of: **Setara Bewa @ Setara Bibi and ors**

....Petitioners.

Mr. Bitasok Banerjee

...for the Petitioners.

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

Mr. P. Bose

...for the State.

The petitioners undertake to affirm and stamp the petition as per the Rules within one week of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioners are close relatives of husband of the victim who died by hanging.

The State refers to the post-mortem report, but such report does not indicate any other injury or any signs of the victim being hanged by some other.

The husband is on bail. Considering the circumstances and the tenuous nexus of these petitioners to the unnatural death of the victim, their custodial interrogation may not be necessary.

In the event of arrest, the petitioners will be enlarged on bail on furnishing security of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer. In addition, the petitioners will abide by the conditions in Section 438(2) of the Code of Criminal Procedure, 1973.

Since item no.41 (CRM 7163 of 2020) is a repetition of CRM 7155 of 2020, CRM 7163 of 2020 and the interim application therein be struck off as infructuous.

CRM 7155 of 2020 and the interim application are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)